



Remote Operations Plan

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CPM PROJECT

BACKGROUND AND PROBLEM STATEMENT

The mission of the 15th Judicial Circuit Solicitor's Office is to uphold the public's trust in the pursuit of justice and enforcement of the law. The goal is to do so while operating effectively during a time of national or international crisis, disaster or shutdown. The COVID-19 pandemic revealed a plan was not in place in our office that would allow essential operations to continue during a time of crisis while remaining in compliance with Criminal Justice Information Systems (CJIS) or National Crime Information Center (NCIC) guidelines.

Our CPM Project addresses the need to create an effective Operations Plan that would be in place before a crisis or disaster occurs. As stated above, the COVID-19 pandemic revealed the need for an Operations Plan. Many of our employees exhausted their leave time because they could not work remotely from home. An Operations Plan that includes working in a remote setting would not only be beneficial during the COVID-19 pandemic but also during other times of emergency such as severe weather (hurricane, tornado, etc.) flooding, flu season, burst pipes, compromised computer system, etc. Because emergencies can happen without warning, having a plan in place will enable employees to work remotely while keeping them healthy and safe without essential operations coming to a halt. An Operations Plan will also create a shared understanding of expectations among employees in anticipation of emergent incidents, so that employees of all levels will be better positioned to successfully deliver the mission and achieve operational outcomes during a time of crisis or disaster.

DATA COLLECTION

The goal of our data collection was to capture quality evidence that would translate to accurate data analysis while establishing a credible plan not only for our CPM Project but one that could be implemented by our office.

Qualitative Data was collected as follows:

1. An Order filed by the South Carolina Judicial Branch, RE: Operation of the Trial Courts During the Coronavirus Emergency Appellate Case No. 2020-000447. The measures contained in this Order are intended to allow essential operations to continue while minimizing the risk to the public, litigants, lawyers, and court employees (Appendix One).
2. An order filed by The Supreme Court of South Carolina canceled Jury Trials and all in-person court hearings. (Appendix Two)
3. Phone interviews were conducted with Judicial Circuits of comparable size within the State of South Carolina. A prepared questionnaire was used for each Circuit to evaluate their current operations during the pandemic and inquire if they have an existing remote operations plan for their Circuit (Appendix Three).
4. Staff was emailed introductory surveys which were structured to determine skill level, remote office accessibility, and questions or concerns (Appendix Four).
5. Contact was made with CJIS (Criminal Justice Information Systems). Policies were collected and consultation with the FBI (Federal Bureau of Investigation) was made to

determine if having our court casefiles in a remote setting or location would jeopardize sensitive and confidential information.

6. County Information Technology policies and inventory of current technology were collected and reviewed to determine if operations could continue in a remote setting/location.

DATA ANALYSIS

After reviewing the data collected, several findings and patterns were found. It was through the data analysis that our project began to shift from a "Remote Operations" plan into an "Operations Plan". The data was fluid and constantly changing in the current pandemic climate, and as we gathered more data we saw a need to have a plan in place that would not only apply to a pandemic or nationwide situation but also to a local disaster. The constant changing of protocols, levels of operations, etc. made it very clear there needed to be a plan in place that would allow us to transition to different levels of operation. In our review, it was mentioned several times from people interviewed or surveyed that we shared similar concerns regarding the inability to work from a remote or home office. Last year we experienced a long period of heavy rain resulting in flooding in our area. Employees were unable to leave homes or were evacuated due to flooding. The courthouse was impacted with flood waters literally cresting in the back parking areas. Several departments had to shift locations/office space and work remotely from other locations. Our department could not work remotely then, and we were not prepared to do so in a pandemic. The consistency in our data was the need to be prepared for different levels of operations. Our analysis is as follow:

The Supreme Court of South Carolina Order Re: Operation of the Trial Courts During the Coronavirus Emergency, Appellate Case No. 2020-000447

It was immediately evident that our department, Fifteenth Judicial Circuit, followed a higher court. If the courthouse was shut down to essential employees only, or public access, we had to have a plan in place to follow the directive of the South Carolina Supreme Court. The data we collected was the actual order for how our courts were to operate during the Coronavirus Pandemic. What began as an Order was followed by many subsequent Orders, memos, and even a webpage dedicated to the shifting and evolving situation of the Coronavirus Pandemic. (Appendix One). The consistency of the ever-changing orders was very clear. We had to be ready to operate remotely when needed, have safety protocols and equipment in place or available and have access to facilities that would allow social distancing and access to technology for our cases to safely proceed. Orders for different types of state disasters were collected and reviewed. The Orders made it very clear to us that an Operations Plan was not only needed but needed to be in place before a disaster occurred (Appendix Five - Order Re: Hurricane Florence Court Proceedings Update.)

The Supreme Court of South Carolina Re: Circuit Court Jury Trials

A response to Chief Justice Beatty's Order was included in the data analysis. Statements in the article revealed that since mid-March, although the Horry County Courthouse was closed as well as federal locations, our staff continued to report to work in our brick and mortar office. A total shutdown was impossible as there still was a need to focus on cases and make sure the backlog would be manageable. (Appendix Two).

Phone interviews were conducted with Judicial Circuits of comparable size within the State of South Carolina.

Contact was made to three Judicial Circuits of comparable size to determine if they have an Operation Policy in place. A questionnaire was used as part of our data collection and analysis. We learned that most Circuits did not have a policy in place but felt it was imperative to have one since they were “flying by the seat of their pants.” One Circuit developed a Policy for remote work which was a useful tool and helped to determine new solutions and policies needed for our “work-from-anywhere Operations plan.”

Staff were emailed introductory surveys which were structured to determine skill level, remote office accessibility, and questions and concerns.

Technology resources are only part of the working remotely equation. The reality is that it is fundamentally different working remotely. There's a loss of hallway chatter, camaraderie, and experiences with other co-workers. Everyone is less visible, and it takes a toll on collaboration because it's just harder to connect with co-workers, even with all the digital tools in hand. After we conducted an initial skill level of our staff, the limitations and the benefits of remote-work were clear. Self-motivation, ability to prioritize, problem solving, communication, and working with digital platforms (Zoom, WebEx) were part of our skill survey. Most everyone felt they possessed the skills needed to work remotely except for working with digital platforms such as Zoom or WebEx.

Contact was made with CJIS (Criminal Justice Information Systems). Policies were reviewed and consultation with the Federal Bureau of Investigation was made to determine if a remote setting would jeopardize sensitive and confidential information contained in our primary case file in a remote situation.

A crucial component that had to be considered while working in a remote setting was working with sensitive and confidential information. Maintaining confidentiality in the workplace is important for all agencies. FBI CJIS Security Policy requires NCIC criminal histories (also known as Rap Sheets) be kept secure from unauthorized access. Contact was made to the FBI, and it was determined having criminal histories in employee's homes would violate CJIS Security Policy. This initially seemed to be a roadblock since all of our casefiles contain Criminal History records. We were able to reach a paperless solution that allowed our project to move forward.

An inventory and review with our Technology Officer and Team of our needs in order to operate in a remote situation.

It was evident immediately in our current climate not only were we unable to operate remotely or safely as the Supreme Court ordered, but technology had to be purchased to do so. Our initial inventory showed the need for updated laptops, webcams, earphones, speakers, televisions and supplies. With revenues dwindling with the impact of COVID as well as County Finance placing a freeze on spending, alternate sources to purchase the equipment had to be researched. We were given the opportunity to apply for a grant with the South Carolina Department of Public Safety Coronavirus Emergency Supplemental Funding Program (Appendix Six). This grant was applied for, awarded and enabled us to create a technology inventory that could transition from day-to-day operations into a remote operations plan if needed.

With the technology input it was also clear each staff member needed the ability to remote in or Virtual Private Network (VPN) from either home or alternate office space. The interviews with our IT department made it clear our staff would not be able to VPN on their personal computers. New laptops were ordered through the grant and VPN USB sticks were requested for all employees. This had to go through approvals with our IT department and a system. Once again, the data collected from meetings with our Department and County IT staff made it clear not only was the equipment needed during a shutdown, remote operations, etc., but was also needed for day-to-day operations.

IMPLEMENTATION AND EVALUATION PLAN

After reviewing and analyzing the data it was increasingly clear that an operations plan that could move and transition into a remote operations plan would not happen overnight and it was essential for us to have both a short-term and long-term plan in place.

Short-term implementation

Cost

Funding for any implementation of technology supplies that would work with a remote office setting was not available through our County budget. With the Coronavirus Emergency Funding grant award for the 20/21 year of \$60,375.00, and the application and award of the 21/22 Coronavirus Emergency Funding of \$6,000.00, we will be able to move forward with our initial phase of purchasing the technology needed to immediately start with our short-term implementation of our Operations plan.

Timeframe

Short-term - Within thirty days of December 30th, the initial set up of any grant purchased equipment must be put into place within our office. It needs to be with the assigned staff member and be used as per the justification in the budget narrative of the awarded grant. As of today's date, February 16th, 2021, the equipment is in place for the initial short-term phase of our Operations plan. The steps we intend to take in the short term to plan for a remote workforce:

- Build a technological foundation.
- Introduce new solutions and policies as needed.
- Communicate with our team about upcoming changes.
- Train our team to use new tools and adapt to new policies.
- Implement our remote workforce and continue communicating to address concerns head-on.

Long-Term – The goal for our final Operations plan is to be set into four different phases (Appendix Seven)

- Level 1 - Normal operations
- Level 2 – Displacement of our local office staff (i.e. office repairs or situation causing a temporary move of staff, temporary work from home situation for an individual employee).

- Level 3 – Local County wide disruption causing a move or temporary shutdown of offices, essential employee only workforce in office or other local disruption.
- Level 4 – A shutdown or mandated remote operations Order issued by the South Carolina Supreme Court impacting how our trial court operations are to operate. A national or international disaster that would mandate a remote operations plan to be put in place.

The steps we intend to take in the long term to plan for a remote workforce:

- Develop infrastructure that allows all (or most) employees to work remotely.
- Determine which roles can and cannot be performed away from the office.
- Consider how we will approach career and professional development remotely.
- Update our training manuals so new employees can still be adequately trained.
- Understand the need to learn and adapt our work-from-anywhere model as we go.

SUMMARY AND RECOMMENDATIONS

While we now have the tools and technology in place to develop a Remote Operations Plan, making such significant shifts in our work structure will not happen instantly or overnight. While it may be difficult for employees to envision the impact of a pandemic/crisis/disaster on court and day-to-day operations, it is imperative to have a plan before such an event occurs. A “fly by the seat of your pants” approach risks the future operation of the court at a time when it

is most needed. It will take time as well as strategic, thoughtful planning for our office to not only accept but be comfortable shifting from an in-office courtroom/legal environment into a work-from-anywhere culture/environment.

We are recommending the gradual implementation of this plan to have the ability to continue the pursuit of justice and enforcement of the law throughout situations that normally would have impacted the ability to do so. A periodic review and update of the plan will be accommodated for growth or change. For the short-term evaluations and periodic employee surveys will be sent. The long-term plan is to establish a remote office team. The team will have representation from each division of the office and will meet periodically to discuss needed changes and/or establish new protocols as warranted.

GLOSSARY OF ABBREVIATIONS

COVID	Coronavirus Disease
CJIS	Criminal Justice Information Systems
FBI	Federal Bureau of Investigation
IT	Information Technology
NCIC	National Crime Information System
PCMS	Prosecutor Case Management Software
RAP	Record of Arrest and Prosecution
USB	Universal Serial Bus
VPN	Virtual Private Network

SOURCES

The Supreme Court of South Carolina RE: Operation of the Trial Courts During the Coronavirus Emergency (As Amended April 22, 2020)

Order RE: Hurricane Florence Court Proceedings Update

Policy for Remote Work

2020-04-22-01

The Supreme Court of South Carolina

RE: Operation of the Trial Courts During the Coronavirus Emergency
(As Amended April 22, 2020)¹

Appellate Case No. 2020-000447

ORDER

(a) Purpose. The purpose of this order is to provide guidance on the continued operation of the trial courts during the current coronavirus (COVID-19) emergency. The measures contained in this order are intended to allow essential operations to continue while minimizing the risk to the public, litigants, lawyers and court employees.

In the past, the South Carolina Judicial Branch has shown great resilience in responding to hurricanes, floods, and other major disasters, and this Court is confident that the same will be true in this emergency. This emergency, however, differs from these prior emergencies in many aspects. The current emergency will significantly impact every community in South Carolina while the prior emergencies, although potentially horrific for the individuals and communities directly impacted, did not. The impact of the prior emergencies could be minimized or avoided by traveling away from the site of the disaster; this is not the case for the current emergency. Further, in the prior emergencies, the circumstances giving rise to the emergency involved a single event with a beginning and a predictable end. This is not the case for the coronavirus, and even conservative estimates indicate the direct impacts of this pandemic will continue for many months.

In light of the extraordinary challenges presented by the current emergency, this Court finds it necessary to supplement and, in some situations, to alter significantly, the current practices regarding the operation of the trial courts. In the event of a conflict between this order and the South Carolina Rules of Civil Procedure (SCRCP), the South Carolina Rules of Criminal Procedure (SCRCrimP), the South Carolina Rules of Family Court (SCRFC), the South Carolina Rules of Probate Court (SCRPC), the South Carolina Rules of Magistrates Court (SCRMC), the South Carolina Court-Annexed

Alternative Dispute Resolution Rules (SCADR), South Carolina Rules of Evidence (SCRE) or any other rule or administrative order regarding the operation of a trial court, this order shall control.

(b) Terminology. The following terminology is used in this order.

(1) Judge: a judge of the circuit court, family court, probate court, magistrate court and municipal court, including masters-in-equity and special referees.

(2) Remote Communication Technology: technology such as video conferencing and teleconferencing which allows audio and/or video to be shared at differing locations in real time.

(3) Summary Court: the magistrate and municipal courts.

(4) Trial Court: the circuit court (including masters-in-equity court), family court, probate court, magistrate court and municipal court.

(c) General Guidance. This section provides general guidance applicable to all trial courts or to several court types, and later sections will provide guidance that is limited to one court type. While this order remains in effect, the following general guidance shall apply:

(1) Jury Trials. All jury selections and jury trials in all criminal and civil cases are continued until further notice.

(2) Non-Jury Trials. The appropriate Chief Judge for Administrative Purposes, or in the case of any court that does not have a Chief Judge for Administrative Purposes, the appropriate judge responsible for scheduling matters, may authorize a non-jury trial to occur if the parties consent, or the matter involves an emergency or other circumstance warranting immediate resolution. To proceed, the Chief Judge or the appropriate judge responsible for scheduling matters must find that the trial can be conducted in a manner to minimize the risk such as limiting the persons present to the parties, counsel and necessary witnesses, or that the trial may be conducted using remote communication technology to avoid the need for a physical appearance of all or some of the parties, counsel or witnesses. If an in-person non-jury trial is conducted, only attorneys, the parties, and necessary witnesses will be allowed to appear. Hearings must be staggered to minimize the number of people appearing at the same time.

(3) Hearings. A hearing on a motion or other matter may be conducted using remote communication technology to avoid the need for a physical appearance by any party, witness or counsel. Only if a judge determines that the hearing cannot be conducted adequately using remote communication technology and the matter involves an emergency or other circumstance warranting immediate determination, will an in-person hearing be conducted. If an in-person hearing is

conducted, only attorneys, the parties, and necessary witnesses will be allowed to appear. The total number of participants should not exceed ten (10) people. Hearings must be staggered to minimize the number of people appearing at the same time.

(4) Minimizing Hearings on Motions. While the practice has been to conduct hearings on virtually all motions, this will not be possible during this emergency. If, upon reviewing a motion, a judge determines that the motion is without merit, the motion may be denied without waiting for any return or other response from the opposing party or parties. In all other situations except those where a motion may be made on an ex parte basis, a ruling shall not be made until the opposing party or parties have had an opportunity to file a return or other response to the motion. A trial judge may elect not to hold a hearing when the judge determines the motion may readily be decided without further input from the lawyers. If a hearing is held, the hearing shall be conducted in the manner specified by (c)(3) above. Consent motions should be decided without a hearing; in the event a party believes that the order issued exceeds the scope of the consent, the party must serve and file a motion raising that issue within ten (10) days of receiving written notice of entry of the order.

(5) Determination of Probable Cause Following Warrantless Arrest. When a warrantless arrest has occurred, the arresting officer shall provide the appropriate judge with an affidavit or a written statement with the certification provided by section (c)(16) below setting forth the facts on which the warrantless arrest was made within eight (8) hours of the arrest. The judge shall consider this affidavit or written statement with the certification and, if appropriate, may have the officer or others supplement the affidavit or written statement with the certification with sworn testimony given over the telephone or other remote communication technology. The judge may administer any necessary oath using the telephone or other remote communication technology. If the judge finds a lack of probable cause for the arrest, the defendant shall be released. The goal is to have this determination of probable cause be made within twenty-four (24) hours of the arrest. Only in the most extraordinary and exceptional circumstances should this determination not be made within forty-eight (48) hours of the arrest. If this determination is not made within forty-eight (48) hours after arrest, the judge making the determination shall explain in writing the facts and circumstances giving rise to this delay, and a copy of this explanation shall be provided to the Office of Court Administration.

(6) Preliminary Hearings in Criminal Cases. Until further order of this Court, preliminary hearings will not be conducted.

(7) Remote Administration of Oaths. Where this order authorizes a hearing, trial or other matter to be conducted using remote communication technology,

any oath necessary during that hearing, trial or other matter may be administered by the same remote communication technology. While it is preferable that the person administering the oath have both audio and visual communication with the person taking the oath, the oath may be administered if only audio communication is available, provided the person administering the oath can reasonably verify the identity of the person taking the oath. Notaries who are authorized to administer oaths may administer oaths utilizing remote communication technology in the case of depositions. Nothing in this order shall be construed as authorizing remote administration of oaths for any other purpose than those contained in this order.

(8) Scheduling Orders. All deadlines under all existing scheduling orders are hereby stayed, retroactive to March 13, 2020. Forty-five (45) days following the date on which the Governor lifts or rescinds the emergency orders relating to the coronavirus emergency, this stay shall end. While a judge may issue a new or amended scheduling order which will not be subject to this stay, both the decision to issue such an order and the terms of that order must consider the impact the emergency has on the ability of the parties and counsel to proceed. Judges are encouraged to seek input from the parties and counsel before issuing a new or amended scheduling order.

(9) Extensions of Time and Forgiveness of Procedural Defaults.

(A) Extensions of Time. This crisis will increase the need for extensions to be granted. While this order remains in effect, no filing fee will be required for a motion for an extension for any motion filed on or after the date of this order. Further, since it is important for lawyers and self-represented litigants appearing before the trial courts to have time to take actions to protect themselves and their families, the due dates for all trial court filings due on or after the effective date of this order are hereby extended for thirty (30) days.

(B) Forgiveness of Procedural Defaults Since March 13, 2020. In the event a party to a case or other matter pending before a trial court was required to take certain action on or after March 13, 2020, but failed to do so, that procedural default is hereby forgiven, and the required action shall be taken within thirty (30) days of the date of this order. If a dismissal or other adverse action has been taken, that adverse action shall be rescinded.

(C) Extensions by Consent. The provision in Rule 6(b), SCRCP, which permits the granting of only one extension of time by agreement of counsel, is suspended. Counsel may agree to further extensions of time without seeking permission from the court, and parties are strongly encouraged to do so upon request.

(D) Limitation. The provisions of (A) thru (C) above shall not extend or otherwise affect the time for taking action under Rules 50(b), 52(b), 59, and

60(b), SCRCP, or Rule 29, SCRCrimP. Further, these provisions do not extend or otherwise affect the time for the serving of a notice of appeal under the South Carolina Appellate Court Rules, or the time to appeal from a lower court to the circuit court.

(10) Alternatives to Court Reporters and Digital Courtrooms. A trial or hearing in the court of common pleas (including the master-in-equity court), the court of general sessions or the family court is usually attended by a court reporter (before the master-in-equity this is usually a private court reporter) or is scheduled in one of the digital courtrooms with a court reporter or court monitor. While every effort will be made to continue these practices, this may not be possible as this emergency progresses. In the event such resources are not reasonably available, a trial or hearing authorized under this order may proceed if a recording (preferably both audio and video) is made. The judge shall conduct the proceedings in a manner that will allow a court reporter to create a transcript at a later date. This would include, but is not limited to, making sure the names and spelling of all of the persons speaking or testifying are placed on the record; ensuring exhibits or other documents referred to are clearly identified and properly marked; controlling the proceeding so that multiple persons do not speak at the same time; and noting on the record the start times and the time of any recess or adjournment.

(11) Courthouses.

(A) Filings. To the extent possible, courthouses should remain open to accept filings and payments, and to report criminal information to the South Carolina Law Enforcement Division and the National Crime Information Center. For the acceptance of documents or payments submitted by delivery to the courthouse, this may be accomplished by providing access to a portion of the courthouse even if the rest of the courthouse is closed to the public; providing an alternate location where the documents or payments may be delivered; or by providing a drop box where filings may be deposited. Adequate signage should be provided at the courthouse to alert persons about how to make filings by delivery, and this information should also be posted to the court's website, if available.

(B) Closure. In the event of the closure of a courthouse, information about the closure shall be provided by signage at the courthouse, and on the court's website if available.

(C) Quarantine of Incoming Paper Documents. To protect the safety of the staff of the trial courts, incoming paper documents, whether delivered or mailed to the trial court, may be quarantined for a period of up to forty-eight (48) hours once the documents are physically received by the trial court.² Once the quarantine period has ended, these documents will be file stamped with the date on which they were received, and court staff will then process the documents.

(12) Statute of Limitations, Repose and Other Similar Statutes. This Court is aware this emergency has already affected the ability of litigants to commence legal actions and this adverse impact will most likely increase significantly as this pandemic progresses. The Judicial Branch has raised this concern to the leadership of the General Assembly as this issue relates to the statute of limitations, statutes of repose and similar statutes such as S.C. Code Ann. § 15-36-100. While this Court has recognized the existence of judicial authority to toll a statute of limitations in other situations, it would be inappropriate for this Court to consider at this time what relief, if any, may be afforded to a litigant who is unable to file a civil action or take other actions under these statutory provisions due to this emergency.

(13) Service Using AIS Email Address. A lawyer admitted to practice law in this state may serve a document on another lawyer admitted to practice law in this state using the lawyer's primary email address listed in the Attorney Information System (AIS).³ For attorneys admitted pro hac vice, service on the associated South Carolina lawyer under this method of service shall be construed as service on the pro hac vice attorney; if appropriate, it is the responsibility of the associated lawyer to provide a copy to the pro hac vice attorney. For documents that are served by email, a copy of the sent email shall be enclosed with the proof of service, affidavit of service, or certificate of service for that document. This method of service may not be used for the service of a summons and complaint, subpoena, or any other pleading or document required to be personally served under Rule 4 of the South Carolina Rules of Civil Procedure, or for any document subject to mandatory e-filing under Section 2 of the South Carolina Electronic Filing Policies and Guidelines. In addition, the following shall apply:

(A) Documents served by email must be sent as an attachment in PDF or a similar format unless otherwise agreed by the parties.

(B) Service by email is complete upon transmission of the email. If the serving party learns the email did not reach the person to be served, the party shall immediately serve the pleading or paper by another form of service in Rule 5(b)(1), SCRCP, or other similar rule, together with evidence of the prior attempt at service by email.

(C) In those actions governed by the South Carolina Rules of Civil Procedure, Rule 6(e), SCRCP, which adds five days to the time a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, shall also apply when service is made by email under this provision.

(D) Lawyers are reminded of their obligation under Rule 410(g), SCACR, to ensure that their AIS information is current and accurate at all times.

(14) Signatures of Lawyers on Documents. A lawyer may sign documents using "s/[typed name of lawyer]," a signature stamp, or a scanned or other electronic version of the lawyer's signature. Regardless of form, the signature shall still act as a certificate under Rule 11, SCRCP, that the lawyer has read the document; that to the best of the lawyer's knowledge, information, and belief there is good ground to support it; and that the document is not interposed for delay.

(15) Optional Filing Methods. During this emergency, clerks of the trial courts may, at their option, permit documents to be filed by electronic methods such as fax and email. If the clerk elects to do so, the clerk will post detailed information on the court's website regarding the procedure to be followed, including any appropriate restrictions, such as size limitations, which may apply. Documents filed by one of these optional filing methods shall be treated as being filed when received by the clerk of court and a document received on or before 11:59:59 p.m., Eastern Standard Time, shall be considered filed on that day. These optional filing methods shall not be used for any document that can be e-filed under the South Carolina Electronic Filing Policies and Guidelines. If a trial court does not have a clerk of court, the court shall determine whether to allow the optional filing methods provided by this provision.

(16) Certification in Lieu of Affidavit. If a statute, court rule or other provision of law requires an affidavit to be filed in an action, the requirement of an affidavit may be satisfied by a signed certification of the maker stating, "I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment by contempt."

(17) Arrest and Search Warrants. Due to this emergency, it may not be possible for an officer seeking an arrest warrant or a search warrant to appear before the judge to be sworn and sign the warrant. Therefore, a judge may use the procedures provided in section (c)(7) above to remotely administer the oath to the officer and, if appropriate, the judge may take sworn testimony using remote communication technology to supplement the allegations in the warrant. The judge shall make a notation on the warrant indicating the oath was administered remotely and the officer was not available to sign the warrant in the presence of the judge. If probable cause is found, the judge shall sign the warrant and return the warrant to the officer for execution. While the officer may sign the warrant when it is returned, the failure to do so shall not affect the validity of the warrant. The warrant may be transmitted to the judge and returned to the officer by e-mail, fax or other electronic means. For the purpose of this

section, the term "search warrant" shall also include applications under South Carolina Homeland Security Act, S.C. Code Ann. §§ 17-30-10 to -145.

(d) Court of General Sessions. The following additional guidance is provided regarding the Court of General Sessions:

(1) Rule 3(c), SCRCrimP. Based on this emergency, the ninety (90) day period provided by Rule 3(c), SCRCrimP, is hereby increased to one-hundred and twenty (120) days.

(2) County Grand Juries. While a physical meeting of the members of the county grand jury shall not be held, the Solicitor or the Attorney General is hereby authorized to present an indictment to the grand jury using remote communication technology such as video conferencing and teleconferencing, and any necessary oath may be administered using this same remote communication technology pursuant to (c)(7) above.

(3) Guilty Pleas. If consented to by both the defendant and the prosecutor, a hearing on a guilty plea may be held subject to the standards specified in (c)(3) above. If the defendant will participate by remote communication technology, the trial court must make a determination that the defendant is knowingly and intelligently waiving his right to be physically present for the plea. If the defendant's counsel will participate by remote communication technology, the trial court must determine that the defendant is knowingly and intelligently waiving any right to have counsel physically present, and the court must ensure that the defendant has the ability to consult privately with counsel during the plea proceeding as may be necessary. Finally, if other persons will address the court or testify during the plea proceedings by remote communication technology, the court must find that the defendant is knowingly and intelligently waiving any right to have those persons physically present for the plea.

(e) Court of Commons Pleas. The following additional guidance is provided regarding the Court of Common Pleas, including the Master-in-Equity Courts:

(1) Isolation and Quarantine Orders. As this pandemic continues, it is possible the provisions of the South Carolina Emergency Health Powers Act, S.C. Code Ann. §§ 44-4-100 to 44-4-570, may be triggered as it relates to isolation and quarantine orders. Therefore, the Chief Judges for Administrative Purposes for Common Pleas should familiarize themselves with the procedures for judicial review and petitions under that Act, most notably section 44-5-540, and begin to formulate a strategy to meet the timelines specified in that statute for judicial action.

(2) Procedural Guidance Regarding Filing. While the trial court case management system does not have a case type and subtype for these matters, the clerks of court should use "Nature of Action Code 699 (Special/Complex

Other)" for these matters, and these matters will be exempt from any ADR requirement. Detailed instructions for attorneys to Electronically File in these cases are available at <https://www.sccourts.org/efiling/ARGs/ARG-26%20Quarantine%20Petitions.pdf>. It is also anticipated that all of these hearings will be conducted using remote communication technology. In coordination with the Pro Bono Program of the South Carolina Bar, a list of lawyers willing to serve as counsel for individuals or groups of individuals who are or are about to be isolated and quarantined under section 44-5-540(F), has been compiled.

(f) Family Court. The following additional guidance is provided regarding the Family Court:

(1) Granting of Uncontested Divorces. The Family Court may grant an uncontested divorce without holding a hearing where:

(A) The parties submit written testimony in the form of affidavits or certifications of the parties and corroborating witnesses that address jurisdiction and venue questions, date of marriage, date of separation, the impossibility of reconciliation and the alleged divorce grounds.

(B) The written testimony must include copies of the parties' and witnesses' state-issued photo identifications.

(C) Any decree submitted by any attorney shall be accompanied by a statement, as an officer of the court, that all counsel approve the decree and that all waiting periods have been satisfied.

(D) Should either party request a name change in connection with a request for divorce agreement approval, that party shall submit written testimony to the Family Court in the form of an affidavit or certification addressing the appropriate questions for name change and the name which he or she wishes to resume. This relief shall be included in any proposed Order submitted to the Court for approval at the time of the submission of the documents related to the relief requested.

(2) Approval of Settlement Agreements and Consent Orders without a Hearing.

(A) General Orders. Consent orders resolving all matters, regardless of whether filed or heard prior to or after the declaration of this public health emergency, may be issued without the necessity of holding a hearing. Examples include consent orders resolving motions to compel, discovery disputes, motions to be relieved as counsel, or consent Orders appointing a Guardian ad Litem or addressing Guardian ad Litem fee caps. Any proposed order or agreement must be signed by the parties, counsel for the parties, and the Guardian ad Litem, if one has been appointed.

(B) Temporary Orders. Temporary consent orders resolving all matters, regardless of whether filed or heard prior to or after the declaration of this public health emergency, may be issued without requiring a hearing. Any proposed order or agreement must be signed by the parties, counsel for the parties, and the Guardian ad Litem, if one has been appointed, and may be submitted and issued without the necessity of filing supporting affidavits, financial declarations or written testimony.

(C) Final Orders. Final consent orders approving final agreements in all matters, regardless of whether filed or heard prior to or after the declaration of this public health emergency, may be issued without requiring a hearing. These final consent orders include marital settlement agreements, custody and visitation settlement agreements and enforcement agreements. Any proposed order or agreement must be signed by the parties, counsel for the parties, and the Guardian ad Litem, if one has been appointed.

These Consent Orders shall be submitted together with all of the following:

(i) The final agreement, such as a marital settlement agreement, signed by the attorneys and the parties.

(ii) Updated signed Financial Declarations for each party.

(iii) An affidavit or certification from the Guardian ad Litem, if one has been appointed, addressing the best interests of the children.

(iv) Written testimony of all parties in the form of affidavit or certification addressing and answering all questions the Family Court would normally ask the parties on the record, including but not limited to affirmations from the parties that:

a. The party has entered into the Agreement freely and voluntarily, understands the Agreement, and desires for the Agreement to be approved by the Court, without the necessity of a hearing.

b. Setting forth the education level obtained by the party, the employment status of the party and the health of the party.

c. There are no additional agreements, and neither party has been promised anything further than that set out in the Agreement.

d. The party fully understands the financial situation of each of the parties, the underlying facts, terms and effect of the Agreement.

e. The party has given and received full financial disclosure.

f. The party has had the benefit of an experienced family law attorney.

- g.** The party has had the opportunity to ask any questions relating to procedures and the effect of the Agreement.
- h.** The party is not acting under coercion or duress, and the party is not under the influence of any alcohol or drug.
- i.** That the Agreement is fair and equitable, it was reached by the parties through arms-length negotiations by competent attorneys and the agreement represents some sacrifices and compromises by each party.
- j.** The Agreement is in the best interests of the children, if there are any.
- k.** That the parties have entered into a marital settlement agreement in full and final settlement of all issues arising from the marriage which have been raised or which could have been raised in the proceeding, other than issues relating to grounds for divorce.
- l.** The party is aware of the applicable contempt sanctions associated with non-compliance.

(D) Consent Orders under S.C. Code Ann. § 63-7-1700(D). Where all the parties consent and the Family Court determines a child may be safely maintained in the home in that the parent has remedied the conditions that caused the removal, and the return of the child to the child's parent would not cause an unreasonable risk of harm to the child's life, physical health, safety, or mental well-being, the Family Court may order the child returned to the child's parent without holding a hearing.

(3) Hearings Generally. With respect to all contested hearings in family court, including agency matters and private actions, both temporary and permanent, all hearings should be conducted in accordance with section (c)(3) of this order.

(g) Probate Court. The following additional guidance is provided:

Certification in Lieu of Affidavit. In the probate court, the certificate in section (c)(16) may also be used for a marriage license application under S.C. Code Ann. § 20-1-230, including any application which may be submitted electronically, or for any of the probate court forms available at www.sccourts.org/forms which are either an affidavit or require an oath or affirmation to be administered.

(h) Summary Court. The following additional guidance is provided regarding the Summary Courts:

(1) Bond Hearings in Criminal Cases. Bond hearings, which shall be conducted in the manner specified by (c)(3) above, should be held at least once a day. In addition to the normal factors for determining whether the defendant will be required to post a bond or will be released on a personal recognizance,

the judge should consider the need to minimize the detention center population during this emergency. Further, judges should consider home detention or other options to help reduce detention center population. The summary court shall uphold victims' rights in accordance with the South Carolina Constitution, including seeking to ensure that a victim advocate/notifier is available for all bond hearings, subject to the rights of the defendant under the United States Constitution and the South Carolina Constitution.

(2) Transmission of Warrants for General Sessions Offenses. Warrants for general sessions offenses shall continue to be forwarded to the clerk of the court of general sessions as provided for Rule 3, SCRCrimP. As to an arrest warrant for a defendant who is already in the custody of the South Carolina Department of Corrections, or a detention center or jail in South Carolina, this Court hereby authorizes these defendants to be served with the warrant by mail. Therefore, if it is determined that the defendant is already in custody, the judge shall annotate the warrant to reflect that a copy has been mailed to the defendant, mail a copy of the annotated warrant to the defendant, and immediately forward the annotated warrant and any allied documents to the clerk of the court of general sessions for processing under Rule 3, SCRCrimP.

(3) Guilty Pleas. If consented to by both the defendant and the prosecutor, a hearing on a guilty plea may be held by the summary court. If the defendant will participate by remote communication technology, the trial court must make a determination that the defendant is knowingly and intelligently waiving his right to be physically present for the plea. If the defendant's counsel will participate by remote communication technology, the trial court must determine that the defendant is knowingly and intelligently waiving any right to have counsel physically present, and the court must ensure that the defendant has the ability to consult privately with counsel during the plea proceeding as may be necessary. Finally, if other persons will address the court or testify during the plea proceedings by remote communication technology, the court must find that the defendant is knowingly and intelligently waiving any right to have those persons physically present for the plea.

(i) Effective Date and Revocation of Prior Order and Memoranda. This order is effective immediately. It shall remain in effect until modified or rescinded by this Court. This order replaces the following order and memoranda previously issued.

(1) Memoranda of the Chief Justice dated March 16, 2020, which are labeled as "Trial Courts Coronavirus Memo," and "Summary Courts Coronavirus Memo."

(2) Order dated March 18, 2020, and labeled "Statewide Family Court Order."

¹ This order was initially filed on April 3, 2020, and has been amended twice. On April 14, 2020, changes were made to sections (c)(5) and (c)(8). On April 22, 2020, section (c)(17) was added.

² One scientific study has reported that the coronavirus can live for up to 24 hours on cardboard. <https://www.medrxiv.org/content/10.1101/2020.03.09.20033217v1.full.pdf>.

³ The email addresses for lawyers admitted in South Carolina can be accessed utilizing the Attorney Information Search at: <https://www.sccourts.org/attorneys/dspSearchAttorneys.cfm>.

s/Donald W. Beatty C.J.

s/John W. Kittredge J.

s/Kaye G. Hearn J.

s/John Cannon Few J.

s/George C. James, Jr. J.

Columbia, South Carolina
April 3, 2020

As Amended April 22, 2020

The Supreme Court of South Carolina

Re: Circuit Court Jury Trials

ORDER

Pursuant to the provisions of Article V, Section 4 of the South Carolina Constitution,

I find that since March 2020, the COVID-19 pandemic has required unprecedented changes to ordinary court operations throughout the state. These changes have impacted not only judges, attorneys, elected officials, and court staff, but also South Carolina's citizens who use the courts and may be called to serve as jurors.

I further find that in light of the ongoing increase in COVID-19 cases throughout South Carolina, and the expectation by the medical community and experts that the number of positive cases will continue to increase in the near future, it is prudent to once again make changes to the operations of the circuit courts for the protection of those who work within the courts, as well as those who serve our state by participating in jury service. Based on the foregoing,

IT IS ORDERED that the circuit courts statewide shall not commence any jury trials after December 4, 2020. Circuit Court Judges shall continue to preside over all other regularly scheduled hearings as assigned. Beginning with the week of December 7, 2020, all circuit court hearings currently scheduled, with the exception of trials by jury, shall proceed as previously scheduled. Where possible, the use of remote communication technology to conduct hearings is encouraged.

IT IS FURTHER ORDERED that all Circuit Court Judges shall notify the office of Court Administration should their scheduled term of court break down for one or more days.

INTERVIEW QUESTIONS FOR CIRCUITS

SOLICITOR'S OFFICE: _____ Circuit

INTERVIEWED: _____

1. Do you have a Remote Operations Plan? If not, do you feel one is needed?

2. Since COVID-19, have your employees worked remotely? If so, how did that work? Can you briefly tell me what did and did not work well?

Comments:

Remote Work Survey

1. What are your feelings/thoughts about working remotely? Would you want to participate?
2. Do you feel you have the self-discipline and organization needed to work remotely?
3. Do you have a place to work remotely without distractions?
4. Do you have access to an internet connection?
5. Are you familiar/comfortable working with digital platforms such as Zoom or Webex?



The Supreme Court of South Carolina

DONALD W. BEATTY
CHIEF JUSTICE

POST OFFICE BOX 3543
SPARTANBURG, SOUTH CAROLINA 29304-3543
TELEPHONE: (864) 596-3450
FAX: (864) 596-2202
E-MAIL: dbeatty@sccourts.org

MEMORANDUM

TO: Supreme Court
Court of Appeals
Clerks of Court
Circuit Court
Masters-In-Equity
Family Court
Probate Court
Registers of Deeds
SCJD Staff

FROM: Chief Justice Beatty

RE: Hurricane Florence Court Proceedings Update

DATE: September 16, 2018

On Saturday, September 15, 2018, South Carolina Governor Henry McMaster lifted evacuation orders for all counties. Circuit Court and Family Court proceedings in all counties shall resume on Monday, September 17, **if county government offices are operating at normal status.** However, if courthouses are unable to open because of weather impacts, court proceedings should resume at the earliest possible time. Please refer to the State Emergency Management Division website, <https://www.scemd.org/closings/>, or to individual county websites, for the status of county government offices.

Judges should be flexible in granting continuances to attorneys and parties who have experienced personal issues, including evacuation, caused by the weather conditions that prevent their appearance in court.

SCJD employees who have experienced weather- or evacuation-related issues that could prevent their return to work as scheduled should communicate directly with their immediate supervisors.

<https://www.sccourts.org/coronavirus/covid-19/>

Court Information

[Judicial Branch Contact Information](#)

[Court Closings, Filings and Payments](#)

[Local County Announcements and Administrative Orders](#)

Orders and Memos

[Supreme Court issues order regarding COVID-19 mitigation measures for the February 2021 Bar Examination](#) (02-04-2021)

[Suspension of Family Court Benchmark Administrative Order](#) (01-15-2021)

[In-Person Proceedings in Circuit, Family, Probate, and Master-in-Equity Courts \(As Amended on January 8, 2021\)](#) (01-08-2021)

[In-Person Proceedings in the Summary Courts \(As Amended on January 8, 2021\)](#) (01-08-2021)

[Amended Order Regarding the Operation of the Trial Courts During the Coronavirus Emergency](#) (12-16-2020)

[Selection of New Grand Jury Members](#) (12-09-2020)

[Circuit Court Jury Trials](#) (12-04-2020)

[Summary Court Jury Trials](#) (12-04-2020)

[Webex Oral Argument at the South Carolina Court of Appeals](#) (11-02-2020)

[Summary Court Operations](#) (09-25-2020)

[Docketing of Cases for General Sessions Terms of Court](#) (09-15-2020)

Court Operations (09-14-2020)

Waiver of Distance Learning Limitations for Magistrates and Municipal Judges (08-28-2020)

Required Use of Protective Masks County and Municipal Courthouses (07-30-2020)

Certification of Compliance with the Coronavirus Aid, Relief, and Economic Security Act in Evictions (07-23-2020)

Completion of the Essentials Series by Newly Admitted Members (06-16-2020)

Waiver of Distance Learning Limitations for Continuing Legal Education Requirements (06-16-2020)

Amended Supplemental Guidance Regarding Lawyer and Judicial Disciplinary Matters During the Coronavirus Emergency (06-15-2020)

Amended Order Regarding the Operation of the Appellate Courts During the Coronavirus Emergency (05-29-2020)

Certification of Compliance - Foreclosures (05-12-2020)

Certification of Compliance with the Coronavirus Aid, Relief, and Economic Security Act in Evictions and Foreclosures Forms (05-06-2020)

Lawyer Mentoring Program and the Coronavirus Pandemic (04-29-2020)

Amended Order Regarding Trial Court Operations During Coronavirus Emergency (04-22-2020)

Admission of Persons to Practice Law During the Coronavirus Emergency (04-15-2020)

Mediation Settlement Conferences (03-19-2020)

Waiver of Distance Learning Limitations for 2019-2020 Continuing Legal Education Reporting Year (03-17-2020)

Access to the Supreme Court Building (03-13-2020)

Court of Appeals Oral Argument (03-13-2020)

Expired Orders and Memos

Court Operations during the Seven-Week Period August 3 - September 18, 2020 (08-05-2020)

COVID-19 Mitigation Measures for the July 2020 South Carolina Bar Examination (07-02-2020)

Court Operations during the Seven-Week Period June 15-July 31, 2020 (06-03-2020)

County Grand Juries (05-29-2020)

Use of Personal Protective Equipment in County Court Facilities (05-26-2020)

Suspension of unexecuted family court issued bench warrants for the non-payment of child support and alimony (05-07-2020)

Participation in Closings of Real Estate Transactions (05-01-2020)

Statewide Evictions and Foreclosures (04-30-2020)

Court Operations During the Six Week Period, May 4 - June 12, 2020 (04-24-2020)

Amended Order Regarding Trial Court Operations During Coronavirus Emergency (04-14-2020)

Amended Supplemental Guidance Regarding Lawyer and Judicial Disciplinary Matters During the Coronavirus Emergency (04-10-2020)

Suspension of arrests of unexecuted family court issued bench warrants for the non-payment of child support and alimony (04-10-2020)

Operation of the Appellate Courts During the Coronavirus Emergency (03-20-2020)

Statewide Family Court Order (03-19-2020)

Family Court Schedule and Judicial Travel (03-19-2020)

Circuit Court Schedule and Judicial Travel (03-19-2020)

Statewide Evictions and Foreclosures (03-19-2020)

Kershaw County Family Court Proceedings (03-14-2020)

Richland County Family Court Proceedings (03-12-2020)

Richland County Administrative Order (03-12-2020)

Statement from Chief Justice Beatty (03-12-2020)

Coronavirus (COVID-19) Preparation (03-04-2020)

Overview

**STATE OF SOUTH CAROLINA
DEPARTMENT OF PUBLIC SAFETY
Office of Highway Safety and Justice Programs
Coronavirus Emergency Supplemental Funding Program**

The Coronavirus Emergency Supplemental Funding (CESF) Program is authorized by Division B of H.R. 748, Pub. L. No. 116-136 (Emergency Appropriations for Coronavirus Health Response and Agency Operations); 28 U.S.C. 530C to assist eligible states, local units of government, and tribes in preventing, preparing for, and responding to the coronavirus. Allowable projects and purchases must have a nexus to criminal justice and include, but are not limited to, overtime, equipment (including law enforcement and medical personal protective equipment), hiring, supplies (such as gloves, masks, sanitizer), training, travel expenses (particularly related to the distribution of resources to the most impacted areas), and addressing the medical needs of inmates in state, local, and tribal prisons, jails, and detention centers. There is no match requirement for this program.

Version: 2

Application Deadline: 2020-06-12

Application #: AC20043

Grant #: 1CF20031

Award Date: 2020-08-26

State Start Date: 2020-01-20

State End Date: 2020-12-31

Project Details

Project Title: 15th Circuit Coronavirus Emergency Funding

**Project Summary (max. 300
characters):**

To ensure staff of 15th Circuit Solicitor's office has the technology and equipment needed to meet with victims, witnesses, defense attorneys, and Treatment Court clients. To have monies to purchase the necessary PPE products to protect our staff & public when conducting Court and PT Conferences

Type of Application: New

Year of Funds: 1

Other (explain):

Program Area: Horry & Georgetown Counties

Agency Details

Agency Name: Fifteenth Judicial Circuit Solicitor's Office

Address: P. O. Box 1276

City: Conway

State: SC

9 Digit Zip: 29528

(Area) Phone #: (843) 915-8609

(Area) Fax #: (843) 915-6085

County: Horry

Other county/counties this project will serve: Georgetown

Organization Type: County

Other (specify):

U.S. Congressional District: Seventh

Has your agency registered in the System for Award Management (SAM)? yes⁶ no⁷
(<https://uscontractorregistration.com>):

Budget

CATEGORIES	GRANTOR	TOTAL
PERSONNEL - SALARIES:		
Position Title	Annual Salary/Rate	% of Time On Project
	\$0	\$0
TOTAL SALARIES:	\$0	\$0
EMPLOYER CONTRIBUTIONS (Fringe Benefits)		
Description	Rate	X Base
Social Security & Medicare (FICA)		\$0 \$0
Retirement		\$0 \$0
Workers Compensation Insurance		\$0 \$0
Unemployment Insurance (on first \$7,000 only)		\$0 \$0
Health Insurance		\$0 \$0
Dental Insurance		\$0 \$0
Pre-Retirement Death Benefit		\$0 \$0
Accident Death Benefit (Police Officers)		\$0 \$0
Other Employer Contributions (Itemize)		\$0 \$0
TOTAL EMPLOYER CONTRIBUTIONS:	\$0	\$0
TOTAL PERSONNEL:	\$0	\$0
CONTRACTUAL SERVICES:		
(Itemize - DO NOT include professional fees for doctors, psychologists, etc.)		
Description	Cost	Quantity
		\$0 \$0
TOTAL CONTRACTUAL SERVICES:	\$0	\$0
TRAVEL:		
(Itemize-include mileage, airline cost, lodging, per diem, parking, car rental)		
Description	Cost	Quantity
		\$0 \$0
TOTAL TRAVEL:	\$0	\$0
EQUIPMENT (\$1,000 or more per Unit):		
(Itemize - DO NOT USE BRAND NAME. Also, DO NOT include leased, rented items or software)		
Description	Cost	Quantity
Laptops 32 GB	1101	25 \$27,525 \$27,525
TOTAL EQUIPMENT:	\$27,525	\$27,525
OTHER:		

Description	Cost	Quantity		
Laptop, IPads and Printer Accessories (cartridge toners, cables, chargers, paper, etc.)	200	15	\$3,000	\$3,000
External Speakers	112	5	\$560	\$560
Wireless On-Ear Headphones	33	11	\$363	\$363
Laptop Licences	262	28	\$7,336	\$7,336
Virtual Session Costs	6	500	\$3,000	\$3,000
Teleconferencing Subscriptions	450	12	\$5,400	\$5,400
DELETE MASKS			\$0	\$0
Hand Sanitizer - Gallon	15	100	\$1,500	\$1,500
Cleaning Products	10	100	\$1,000	\$1,000
Webcams	40	7	\$280	\$280
Footpetals for laptops	50	10	\$500	\$500
DELTE Thermometers			\$0	\$0
70 Inch LCD LED Smart Television	911	1	\$911	\$911
Laptops 16GB	900	10	\$9,000	\$9,000
		TOTAL OTHER:	\$32,850	\$32,850
		TOTAL PROJECT COST:	\$60,375	\$60,375

Budget Narrative

List items under each Budget Category Heading. Explain exactly how each item listed in your budget will be utilized. It is important that the necessity of these items, as they relate to the operation of the project, be established. Dollar amounts DO NOT have to be provided.

Equipment:

Laptops with cameras 32GM - These laptops will allow the Senior Attorneys to VPN to the Solicitor's Case Management System and watch videos in cases in preparation for trial. These laptops with extra memory allow the Solicitors to download and view celebrite reports. Laptops with less memory do not have storage to handle these telephone dumps. The laptops with cameras will allow the Solicitors to have virtual meetings with victims, witness and police officers from the office or home.

Laptops with camera 16 GM - These laptops will also allow the Victim Advocates to have virtual meeting with the victims of crimes, and give them the capabilities to assist them with filling out forms and answering questions from work or home.

Allowing victims to identify with our staff and to feel more comfortable because these in-person meetings help the Advocates to form a better relationship with the victims. Our counselor and case managers use the laptops to complete assessments with clients. They conduct virtual interviews through the Detention Center's software with the defendants.

Document Scanners for Courtroom - 0

70 Inch LCD LED Smart TV - The large screen TV is used to view a multitude of video formats through the laptops, from a DVD and new clips. Viewing and reviewing digital video evidence is crucial in trial preparation and in presenting video evidence in the courtroom during the trial. Currently, Prosecutors are using our grant funded TV to connect with expert witnesses during guilty pleas and bench trials.

Network Printers - 0

LCD Projectors - 0

OTHER:

iPads - 0

Laptop, iPad, and Printer Accessories - Toner cartridges are essential in the operation of color printers that will be used with the requested laptops. The laptops are iPads will need additional cables, power strips, and chargers for court. Paper will be need for printing Court documents.

External Speakers - External speakers are needed for laptops when conducting interviews with victims and witnesses. The speakers will also be used in the Courtroom with the projectors.

Wireless on Ear Headphones - The headphones are needed by all Solicitors and Investigators when conducting virtual interviews for trial preparation.

Laptop Licenses - Licenses are required by our Counties on all laptops to utilize certain software packages necessary in our daily work.

Virtual Sessions Costs - The Detention Centers in Horry and Georgetown Counties have costs associated with having virtual meeting with defendants housed in their facilities. The average cost for a 30 minute session is \$6.00. Our Treatment Court Team have at least 10 virtual meetings with defendants in the detention centers each week.

Audio/Visual Cart - 0

Teleconferencing Subscriptions - These subscriptions are needed for iPads and laptops to be able to conduct virtual meetings.

Rubber Gloves - 0

Hand Sanitizer - Hand sanitizer is needed to avoid transferring germs within the office and Courtrooms and to follow CDC Guidelines and protect our staff and the public.

Cleaning Products - Cleaning Products are needed to wipe down equipment in the office and Courtrooms to protect our staff and the public.

Webcams - Webcams help equip our laptops to be used by our staff to access virtual meeting and video conferencing.

Footpetals for laptops - Footpetals are needed for the laptops to listen to police audios from body cams and video statements from victims and witnesses. The footpetals allow our Solicitors and Investigators to replay the audios/videos faster.

Digital Recorders - 0

Splash Guard Masks - 0

Disposable Protective Gowns - 0

Digital Thermometers -0 *Edited*

Program Narrative

PROBLEM STATEMENT: First, define the problem exactly as it exists in your particular community. Describe the nature and magnitude of the problem using valid, updated statistical data, and cite the source and date of your information. Prior data may be used to show changes in the magnitude or severity of the problem. Remember to document the problem and not the symptoms or solutions of the problem. Second, identify your existing efforts, current resources and programs being utilized to deal with the problem.

Problem Statement:

When two aspects of public safety conflict, new methods and means must be found to reconcile the conflict. Currently public safety requires an efficient criminal justice system and our existing system is based on in-person meetings and communications. The current Covid 19 Crisis, however, has made such in-person meetings unsafe, particularly for citizens who are older or who suffer from pre-existing health conditions. The Fifteenth Circuit Solicitors Office, the prosecutorial agency for Horry and Georgetown Counties, is hereby requesting grant funds to enhance our ability to conduct meaningful communication through teleconferencing, and to expand what capacity we have and already are using to meet all the needs of our diverse duties.

The Fifteenth Judicial Solicitor's Office has the responsibility of prosecuting adult offenders in General Sessions Court; Juvenile Offenders in Family Court; and Driving Under the Influence 1st Offender and Domestic Violence offenders in Magistrate's Court in both Horry and Georgetown Counties. Also included under the Fifteenth Judicial Solicitor's umbrella are Treatment Courts (Drug Court and Mental Health Court) and Solicitor's Intervention Programs (including Pretrial Intervention). The two Counties of the Fifteenth Judicial Circuit are geographically similar in size and location. According to 2016 US Census estimates, there are 322,342 citizens residing in Horry County, of which 18.6% are below poverty level, and 61,399 citizens residing in Georgetown County, of which 21.2% below poverty level. There has been a 36.5% increase in population in Horry County since 2010. According to the Employers Association of South Carolina, the unemployment rate in Horry County as of March, 2020 was 3.9% but rose to as 22.7% in April 2020. According to the Employers Association of South Carolina, the unemployment rate of Georgetown County as of March, 2020, was 4.1%, rising to 15.3% in April.

Horry County is the largest county in South Carolina covering 1,134 square miles. Known as the "Independent Republic", Horry County is the fastest growing County in the State. Horry County is listed in the Top 100 Fastest Growing areas relevant to housing. The county currently boasts extraordinarily diverse land usage for recreational, industrial and tourism purposes. Located within Horry County is Myrtle Beach. Myrtle Beach is host to approximately 12 million visitors a year who enjoy the beautiful coast. The visitors are from all over the United States and many nations around the world. According to the South Carolina Department of Health and Environmental Control on June 8th, 2020, Horry County had 676 positive cases of COVID 19 and 31 deaths. Horry County ranks 7th highest in State for number of positive cases. Georgetown County has 85 positive cases of COVID 19 and 3 deaths.

COURT NEEDS:

Since the onset of COVID 19, our office has had to make several adjustments to keep General Sessions, Juvenile, DUI and Domestic Violence Courts operating in the most efficient manner possible. During this period the Office has relied on only 2 web-cam-equipped laptops. Because of our diverse responsibilities, these 2 video-conference-capable laptops have been shared among General Sessions Court, Juvenile Court, DUI Court, and Domestic Violence Court, all of which are currently conducting business mainly by video conference. While holding virtual Court, it has been necessary to send and receive documents to and from the jail because the defendants and often their counsel are not physically present in the courtroom to provide the required signatures. Common examples of this are the Video Conference Waiver form and Sentencing Sheets which must be scanned and emailed to the jail or remote courtroom for signatures and then scanned and emailed back to allow participation in Virtual Court. Printers and scanners have been placed on a rolling cart which are wheeled to the Courtroom to allow this exchange of documents. Our Chief Administrative Judge has limited the number of Court personnel allowed in the Courtroom during proceedings to 10. Because of the number of different prosecutors and attorneys on each case, this has caused severe limitations, particularly when the defendant has to speak privately to defense counsel. During our May term of Court, one of our Assistant Solicitors had a bench trial in General Sessions Court. In order to conduct the trial, we had to use Webex software to conduct video testimony by a forensic psychiatrist who testified as an expert witnesses. The expert was called via Webex on a webcam equipped laptop. From there, we connected the laptop to our 70" TV (purchased with a previous grant) via an HDMI cord. The Judge, Solicitor, and defense were then able to view the witness on the TV, and the witnesses could view the Judge and Solicitor via the webcam. This system, though ponderous and difficult to relocate, allowed the expert witnesses to conduct a competency evaluation on the defendant, and subsequently allowed the Court to receive his testimony. Additional webcam equipped laptops, iPads and web cameras are needed to hold virtual Court concurrently in General Sessions, Juvenile, DUI, and Domestic Violence Courts.

As you are aware, Covid-19 has greatly limited the ability of individuals to meet with one another in person. The 15th Circuit Solicitor's Office takes pride in working one on one with victims, especially victims of violent crimes, and much of our communication ordinarily includes in-person interactions. For instance, our attorneys and victim advocates typically conduct victim impact conferences, which allow victims to discuss their case in a safe and confidential environment. Additionally, our attorneys frequently meet with law enforcement and civilian witnesses to prepare for trials. However, because of Covid-19, these interactions have become restricted largely to video conferences.

Although phone correspondence and email are still available as a resource to most victims, the inability to see facial expressions as well as an overall human element is lacking from our routine face-to-face meetings. After an individual has been victimized, they deserve to see the team of hard-working individuals who are striving to achieve justice for them. Without the ability to come to our office and meet with our personnel in person, it is our fear victims may become more distant from the prosecution process, in addition to feeling as though no action is being performed with their case. Speaking with victims and discussing the next steps in their case allows victims to identify with our staff and to feel more comfortable because these in person-meetings help to form a growing relationship.

In addition, victims have a right to be heard in many Court hearings, including bond hearings and guilty pleas. Currently the only way a victim can participate in Court hearings is by a victim advocate holding a smart phone up to a Courtroom microphone. A separate videoconference system is needed to allow more meaningful participation in hearings as well as to allow the victims to see what is happening in the Courtroom.

Having the funding for laptops with cameras and iPad that will support Zoom is vital to our office because it will allow our attorneys and staff to interact with victims, co-counsel, and members of the community. Zoom has been successful in allowing conversations and the maintaining of relationships during unprecedented times where social distancing is highly encouraged. The ease of access provided by zoom is ideal for our current Court conditions. For instance, it is not necessary for invitees to download and be familiar with the software. Rather, guests are simply sent a link which permits them to join the conversation. Zoom also allows multiple parties to join the same conversation at once. Therefore, if a victim or witness suddenly finds themselves out of the state, they are still able to meet with our staff to discuss their case. Additionally, this technology allows victims and witnesses to meet with our staff from a safe distance, in which they can discuss matters important to them in a face-to-face setting, while avoiding the possible costs of travel and lodging and the risk of an in-person meeting.

TREATMENT COURTS & SOLICITOR'S INTERVENTION PROGRAMS:

Due to COVID 19, the 15th Circuit Treatment Courts are now being required to use secured virtual sites to conduct group therapy sessions, individual sessions, and Court sessions. Currently Treatment Courts are conducting 17 group therapy sessions, an average of 15 individual sessions, and up to 4 Court sessions each week. All candidates for the 15th Circuit Treatment Courts are required to complete a clinical assessment. For candidates currently housed at the local detention center, we are conducting virtual interviews through Securus, a jail visitation system. There are times when incarceration is used as a sanction for participants in the Treatment Courts. The Treatment Team strives to make all sanctions therapeutic, however, so currently the Counselors are conducting the individual therapy sessions at the jail through Securus. In order to have access to these virtual sites, all Team members, including 3 Judges who conduct the Treatment Courts, need access to the technology. The Judges and Counselors often need to conduct the Court hearings and therapeutic sessions off site when they do not have access to their office

computers. In order to facilitate off site availability, we need iPads for the Judges, Prosecutor and Treatment Staff. Treatment Courts currently conduct an average of 150 drug tests each week. In order to follow CDC guidelines, the staff members facilitating the tests are required to wear masks, change his/her gloves and wipe down testing area after each client.

Solicitor's Intervention Program Case Managers are now required to do their assessments on clients through virtual sites. The case managers currently use smart phones to conduct Facetime interviews with their clients, but often our cell phones have not been successful in keeping the connection due to the high data requirements of Facetime and the poor cell service in our area. Solicitor Intervention Programs conduct approximately 120 assessments each month.

Accordingly, I would respectfully request an allocation of grant funding for use in the 15th Circuit Solicitor's Office for the purpose of enhancing our ability to perform our assigned functions through teleconferencing technology. Even before Covid-19, our office was operating under strained circumstances as our attorneys have limited access to take-home laptop computers and tablets to better assist them in the furtherance of seeking justice for the victims and citizens of Horry County. Now, we are in a crisis because of the limitation of our ability to communicate with those in our community, as in-person meetings have become nearly impossible. As such, we feel our office requires greatly increased access to the technology that allows safe contact with the citizens of our community.

PROJECT PURPOSE: First, describe the broad goals of your project. Then describe a specific plan for conducting the project and a rationale for the tasks and activities to be employed to address the problem outlined above.

To ensure that all prosecutors, support staff, counselors, case managers and victim advocates have suitable technology and equipment when conducting virtual meetings, counseling sessions and Court sessions. To achieve these goals, we are requesting technology to be used for preparation, organization and presentation of documents and exhibits in trials. Also, the addition of high-end laptops with cameras, wireless printers, iPads with Zoom capabilities, Document Scanners for the Courtroom, and Speakers, Wireless On-Ear Headphones.

SPECIFIC PLAN:

1. Develop specs for the equipment. This will be done by the Project Director, along with the Solicitor's Public Information Officer and Horry County IT's Department.
2. Bid equipment or purchase under state contract. If items of equipment require bidding, this will be done in conjunction with Horry County Procurement and using the administrative procurement guidelines.
3. Request permission to purchase from State administrative agencies per grant rules and guidelines.
4. Purchase equipment from the winning bid vendor or from a State contract vendor.
5. Set-up and/or install equipment and notify office of its availability and conduct any in-office-training on the equipment. This will be done by the Project Director and Solicitor's Public Information Officer.
6. Maintain equipment
7. Compile and submit financial and programmatic reports. A final evaluation will be submitted at the conclusion of the grant.

PROJECT OBJECTIVE(S): Objectives are specific, quantified statements of expected results of the project. The objectives must be described in terms of measurable events that can be realistically expected under time constraints and resources. Objective must be related to the Problem Statement and Project Purpose outlined above.

1. Increase the efficiency and effectiveness of prosecutors, support staff, counselors, case managers and victim advocates by providing them with fully functioning, reliable and current computer equipment, TV, speakers, and other computer hook ups and accessories to hold virtual hearings, virtual counseling and groups sessions and virtual General Sessions, Juvenile, Magistrate and Treatment Court sessions.

2. Enhance the 15th Judicial Circuit Solicitor's Office ability to present electronic displays and digital evidence in a modern format during virtual or nonvirtual court proceedings.

PERFORMANCE INDICATOR(S): State exactly how each objective will be measured. Performance indicators must be matched to each program objective listed above (i.e., if there are 5 objectives then there must be 5 corresponding performance indicators). Performance indicators are based on quantitative (numbers) and qualitative (opinions organized in meaningful ways) data gathering procedures which evaluate and document your project.

1. A survey will be conducted of prosecutors, support staff, counselors, case managers and victim advocates to compare the impact the equipment had on their virtual hearings, virtual counseling and group sessions and virtual General Sessions, Juvenile, Magistrate and Treatment Court sessions.

PROJECT EVALUATION: This requirement is to: (1) establish an evaluation plan or process to assess the impact of your project on the drug and violent crime problem in your jurisdiction, (2) conduct the evaluation during the grant funded period, and (3) submit a formal written evaluation report at the close of the grant period. The purpose of evaluating each project is to assess how well it has been implemented in your jurisdiction and to assess the extent to which the activities funded have achieved the project's goals. The plan or process must describe how the evaluation will be accomplished and must describe the range of activities that will serve as vehicles for obtaining general qualitative and specific quantitative information. **The plan or process must be completed and submitted on this page.**

The grant will be evaluated using the data collected through the grant period. Adjustments will be made in data collection if it is determined the information available is not documenting the success of the grant. The data and the information being collected will be shared with the Solicitor to determine if the effort is accomplishing the intended goals and objectives of the grant.

The Project Director will evaluate the project based on the objectives and performance indicators and the impact it has made on the Solicitor's Office virtual hearings, virtual counseling, group sessions and Court sessions.

Program Narrative - Counts

**Total Population for
county(ies) or City/Town:** 383741

Cite source of information: Horry and Georgetown Counties

AGENCY INFORMATION: (For Law Enforcement Agencies ONLY)

**Number of regular full-time
officers in implementing
agency:**

**Number of regular part-time
officers in implementing
agency:**

**Number of reserve officers in
implementing agency:**

**Total number of personnel in
implementing agency:**

Implementation Schedule

IMPLEMENTATION SCHEDULE

The Implementation Schedule is intended to give our office a proposed list of activities planned, when they are to be implemented, and the person responsible. Exact dates are not necessary in the "Implementation Proposed Time Frame" section. The "Implementation Actual Time Frame" section will be used to reflect the actual activities, dates, etc. when submitting your Progress Report after the grant is approved.

Implementation Tasks	Person Responsible	Implementation Proposed (Proposed Quarters)				Implementation Actual Time Frame (Actual Dates)				Date
		1 Qtr	2 Qtr	3 Qtr	4 Qtr	1 Qtr	2 Qtr	3 Qtr	4 Qtr	
Develop Specs for equipment	Project Director & IT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Bid equipment or State Contract Purchase	Project Director & IT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Request Permission to Purchase	Project Director	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Purchase Equipment	Project Director & IT	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Use and Maintain Equipment	Solicitor PIO & Staff	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Compile and submit financial & progress reports	Project Director	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Submit Final Evaluation	Project Director	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Acceptance of Audit Requirements

ACCEPTANCE OF AUDIT REQUIREMENTS

PLEASE NOTE: State Agencies whose annual audit is covered by the State Auditor's Office do not have to complete this form.

We agree to have an audit conducted in compliance with 2 CFR 200.501, if required. If a compliance audit is not required, at the end of each audit period we will certify in writing that we have not expended the amount of federal funds that would require a compliance audit (\$750,000). If required, we will forward for review and clearance a copy of the completed audit(s), including the management letter, if applicable, to:

Accounting - Grants, D1
S.C. Department of Public Safety
10311 Wilson Blvd., PO Box 1993
Blythwood, SC 29016

The following is information on the next organization-wide audit which will include this agency: (Use your Agency's fiscal year)

1. *Audit Period: Beginning

2021-11-01

Ending

2022-06-01

2. Audit or written certification will be submitted to Accounting - Grants by:

2022-11-01

(Date)

NOTE: The audit or written certification must be submitted to Accounting - Grants, S.C. Department of Public Safety, no later than the ninth month after the end of the audit period.

Additionally, we have or will notify our auditor of the above audit requirements prior to performance of the audit for the period listed above. We will also ensure that, if required, the entire grant period will be covered by a compliance audit which in some cases will mean more than one audit must be submitted. We will advise the auditor to cite specifically that the audit was done in accordance with 2 CFR 200.501.

Any information regarding the CFR audit requirements will be furnished by Accounting - Grants, S.C. Department of Public Safety, upon request.

***NOTE:** The Audit Period is the organization's fiscal or calendar year to be audited.

Failure to complete this form will result in your grant award being delayed and/or cancelled.

Terms & Conditions

OFFICE OF HIGHWAY SAFETY AND JUSTICE PROGRAMS CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM TERMS AND CONDITIONS

1. **Availability of Funds:** This grant award is contingent upon the availability of funds approved by the statutory governing body for those funds. For federal funds, availability is controlled by the United States Congress.
2. **Correspondence:** All correspondence to the State Funding Agency (SFA), regardless of the medium (paper, email, facsimile, etc.), must include either the application number, or in the case of an award, the grant award number to which the correspondence refers.
3. **Applicable Federal Regulations:** The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by the United States Department of Justice (DOJ) in 2 C.F.R. Part 2800 (the "Part 200 Uniform Requirements") apply to any award of funds out of Federal Fiscal Year 2015 and forward. The Part 200 Uniform Requirements, which were first adopted by the USDOJ on December 26, 2014, supersede, among other things, the provisions of 28 C.F.R. Parts 66 and 70, as well as those of 2 C.F.R. Parts 215, 220, 225, and 230. For further guidance or specifics, please refer to <http://www.grants.gov/web/grants/learn-grants/grant-policies/omb-uniform-guidance-2014.html>. For any award of funds out of Federal Fiscal Year 2014 and prior the subgrantee must comply with the Office of Management and Budget (OMB) Circulars, as applicable: A-21 Cost Principles for Educational Institutions; A-87 Cost Principles for State and Local Governments; A-110 Uniform Administrative Requirements for Grants and Agreements with Institutions; and, A-122 Cost Principles for Non-Profit Organizations. Also, the Subgrantee must comply with the provisions of 28 CFR applicable to grants and cooperative agreements including Part II, Applicability of Office of Management and Budget Circulars; Part 18, Administrative Review Procedure; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 42, Non-discrimination Equal Employment Opportunity Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; Part 63, Floodplain Management and Wetland Protection Procedures Part 66 (formerly OMB Circular A-102), Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Contact Accounting-Grants staff for further clarification of this requirement.
4. **Standard Assurances:** Upon receipt of federal funds, the State of South Carolina has assured and certified adherence to Standard Assurances to the US Department of Justice and in turn applies these rules to any contract, award, or subaward made under these funds. OMB APPROVAL NO. 1121-140 EXPIRES 5/31/2019
 - a. The Applicant hereby assures and certifies compliance with all applicable Federal statutes, regulations, policies, guidelines, and requirements, including 2 C.F.R. Part 2800 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards by the Department of Justice), and Ex. Order 12372 (intergovernmental review of federal programs). The applicant also specifically assures and certifies that:
 - b. It has the legal authority to apply for federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
 - c. It will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest or personal gain.
 - d. It will give the awarding agency or the Government Accountability Office, through any authorized representative, access to and the right to examine all paper or electronic records related to the financial assistance.
 - e. It will comply with all lawful requirements imposed by the awarding agency, specifically including any applicable regulations, such as 28 C.F.R. pts. 18, 22, 23, 30, 35, 38, 42, 61, and 63, and the award term in 2 C.F.R. § 175.15(b).
 - f. It will assist the awarding agency (if necessary) in assuring compliance with section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. § 470), Ex. Order 11593 (identification and protection of historic properties), the Archeological and Historical Preservation Act of 1974 (16 U.S.C. § 469a-1 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. § 4321).
 - g. It will comply (and will require any subgrantees or contractors to comply) with any applicable nondiscrimination provisions, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. § 10228(c) and 10221(a)); the Juvenile Justice and Delinquency Prevention Act of 2002 (34 U.S.C. § 11182(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Indian Civil Rights Act (25 U.S.C. §§ 1301-1303); the Rehabilitation Act of 1973 (29 U.S.C. § 794); the Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12131-34); the Education Amendments of 1972 (20 U.S.C. §§ 1681, 1683, 1685-86); and the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07). It will also comply with Ex. Order 13279, Equal Protection of the Laws for Faith-Based and Community Organizations; Executive Order 13559, Fundamental Principles and Policymaking Criteria for Partnerships With Faith-Based and Other Neighborhood Organizations; and the DOJ implementing regulations at 28 C.F.R. Part 38.
 - h. If a governmental entity—
 - A. it will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. § 4601 et seq.), which govern the treatment of persons displaced as a result of federal and federally-assisted programs; and
 - B. it will comply with requirements of 5 U.S.C. §§ 1501-08 and §§ 7324-28, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.
5. **Allowable Costs:** The allowability of costs incurred under any grant shall be determined in accordance with the general principles of allowability and standards for selected cost items as set forth in the applicable Federal or State requirements listed in the application Guidelines and Procedures.
6. **Prohibited Conduct – Trafficking of Persons** The recipient, and any subgrantee at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subgrantees, or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subgrantee. The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the USDOJ-OJP web site at <http://oip.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> including reporting requirements and OJP authority to terminate award.
7. **Appropriations Restrictions for Federal Funds:** The recipient, and any subgrantee at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Should a question arise as to whether a particular use of federal funds by a recipient (or a subgrantee) would or might fall within the scope of an appropriations-law restriction, the subgrantee is to contact the SFA for guidance and may not proceed without the express prior written approval of the governing entity of those funds.
8. **Environmental Impact Requirements:** The grantee, and by association any subgrantee, agrees to assist any requesting federal funding agency in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these grant funds, either directly by the grantee or by a subgrantee. Accordingly, the grantee agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the grant, the grantee agrees to contact the federal funding agency. The grantee understands that this special condition applies to its following new activities whether or not they are being specifically funded with these grant funds. That is, as long as the activity is being conducted by the grantee, a subgrantee, or any third party and the activity needs to be undertaken in order to use these grant funds, this special condition must first be met. The activities covered by this special condition, which may or may not be allowable by the SFA, are as follows:
 - a. New construction;
 - b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on, or eligible for, listing on the National Register of Historic Places;
 - c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
 - d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and
 - e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

The grantee understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by the federal funding agency. The grantee further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <https://www.bia.gov/Funding/nepa.html>, for programs relating to methamphetamine laboratory operations.

Application of This Special Condition to Grantee's Existing Programs or Activities: For any of the grantee's or its subgrantees' existing programs or activities that will be funded by these grant funds, the grantee, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

9. **Jacob's Law:** The South Carolina Code of Laws Section 56-5-195 prohibits the transportation of children to or from schools or school-related functions using minivans or fifteen-passenger vans. Any vehicle that is purchased or rented with grant funds for the purpose of transporting juveniles or children to or from schools or school-related functions must be classified as a school bus or a mini-school bus.
10. **Texting:** Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the U.S. Department of Justice encourages subgrantees to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.
11. **Indirect Cost Rate Agreements:** If the subgrantee requests an indirect cost rate as an allowable expense item, a copy of the current and in-effect cost rate agreement must be submitted within thirty [30] days of the award date. A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise the SFA in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.
12. **Audit Requirements:** The subgrantee agrees to comply with the requirements of §200.501. Further, records with respect to all matters covered by this grant shall be made available for audit and inspection by the SFA and/or any of their duly authorized representatives. If required, the audit report must specifically cite that the report was done in accordance with the applicable requirements. If a compliance audit is not required, a written certification must be provided at the end of each audit period stating that the subgrantee has not expended the amount of federal funds that would require a compliance audit. The subgrantee agrees to accept these requirements by the completion of the audit page of this application. The SFA will pay only the grant portion of compliance audit costs and only if a compliance audit is required. Funding of accounting services is not reimbursable.
13. **Non-Discrimination:** The subgrantee understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students. The subgrantee will comply with all Federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and the Americans with Disabilities Act of 1990 (Pub. L. 101-336), as amended (42 U.S.C. 12101, et seq.), which prohibits discrimination on the basis of disabilities (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Civil Rights Restoration Act of 1987 (Pub. L. 100-259), which requires Federal-aid recipients and all subgrantees to prevent discrimination and ensure nondiscrimination in all of their programs and activities; (f) the Drug Abuse Office and Treatment Act of 1972 (Pub. L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (g) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (Pub. L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (h) Sections 523 and 527 of the Public Health Service Act of 1912, as amended (42 U.S.C. 290dd-3 and 290ee-3), relating to confidentiality of alcohol and drug abuse patient records; (i) Title VIII of the Civil Rights Act of 1968, as amended (42 U.S.C. 3601, et seq.), relating to nondiscrimination in the sale, rental or financing of housing; (j) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (k) the requirements of any other nondiscrimination statute(s) which may apply to the application. The subgrantee assures that in the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin or sex against a recipient of funds, the recipient will immediately forward a copy of the findings to the SFA.
14. **Equal Employment Opportunity:** No person shall on the grounds of race, creed, color or national origin, be excluded from participation in, be refused the benefits of, or be otherwise subjected to discrimination under subgrants awarded pursuant to the Act governing these funds or any project, program, activity or subgrant supported by such requirements of Title VI of the Civil Rights Act of 1964, and all applicable requirements pursuant to the regulations of the Department of Commerce (Title 15, code of Federal Regulations, Part 8, which have been adopted by the Federal Funding Agency); Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; Department of Labor Regulation 41 CFR Part 60; and the Department of Justice Non-discrimination Regulations 28 CFR Part 42, Subparts C, D, E and G. The subgrantee must therefore ensure that it has a current Equal Employment Opportunity Program (EEO) which meets the requirements of 28 CFR 42.301. The subgrantee further agrees to post in a conspicuous place, available to all employees and applicants for employment, notices setting forth the provisions of the EEO, as supplemented in Department of Labor Regulations 41 CFR Part 60. The subgrantee assures that in the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, or sex against a recipient of funds, the recipient will immediately forward a copy of the findings to the SFA.
15. **Civil Rights Compliance:** No person shall on the grounds of race, creed, color or national origin, be excluded from participation in, be refused the benefits of, or be otherwise subjected to discrimination under subgrants awarded pursuant to the Act governing these funds or any project, program, activity or subgrant supported by such requirements of: Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975, and; the Department of Justice Non-discrimination Regulations 28 CFR Part 42, Subparts C, D, E and G. The subgrantee must therefore ensure it has a current Equal Employment Opportunity Program (EEO) which meets the requirements of 28 CFR 42.301. Depending on the funding source, the subgrantee must be in compliance with the Omnibus Crime Control and Safe Streets Act of 1968, the Juvenile Justice and Delinquency Prevention Act of 1974 and the Victims of Crime Act of 1984, or other applicable DOJ program statutes which provide funding from the SFA to the subgrantee. Subgrantees are also subject to the provisions of Partnerships with Faith-Based and other Neighborhood Organizations, 28 C.F.R. pt. 38; Exec. Order No. 13,559, 75 Fed. Reg. 71,319 (Nov. 17, 2010 – Fundamental Principles and Policymaking Criteria for Partnerships with Faith-Based and Other Neighborhood Organizations), and; Ex. Order No. 13,279, 67 Fed. Reg. 77,141 (Dec. 12, 2002 – Equal Protection of the Laws for Faith-Based and Community Organizations). All grant-funded personnel, and their supervisors, shall view the civil rights training presentation located at www.secdps.gov/ohsp within the first month of a grant award and respond to the special condition to attest in writing that viewing occurred with signed forms to be submitted to the SFA.
16. **Faith-Based Organizations:** Executive Order 13279, Executive Order 13559, and the U.S. Department of Justice's (USDOJ) regulations on the Partnerships with Faith-Based and other Neighborhood Organizations, 28 C.F.R. pt. 38, prohibit recipients from using DOJ financial assistance on inherently (or explicitly) religious activities and from discriminating in the delivery of services on the basis of religion. Therefore, programs or activities that are considered inherently (or explicitly) religious activities are not allowable for grant funding. In addition the USDOJ has determined that twelve-step recovery programs are considered inherently (or explicitly) religious activities under federal civil rights laws. The Equal Treatment Regulation provides in part that Department of Justice grant awards of funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of grants may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from the grantee or a sub-grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. A document containing Frequently Asked Questions (FAQ) has been developed to provide guidance for State Administering Agencies and subgrantees implementing USDOJ financial assistance on the conditions under which they may offer twelve-step recovery programs consistent with federal civil rights laws as part of the services that they provide. The FAQ may be found on the OJP's Office for Civil Rights' website at www.ojp.usdoj.gov/about/offices/ocr.htm. If you have any questions, please contact the Office for Civil Rights at (202) 307-0690. USDOJ amended this federal regulation concerning faith-based organizations on May 4, 2016 to include the following addition: "Compliance with USDOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38
a. The recipient, and any subgrantee at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38, specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries. Part 38 of 28 C.F.R., a DOJ regulation, was amended effective May 4, 2016.
b. Among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38 also sets out rules and requirements that pertain to recipient and subgrantee organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subgrantees that are faith-based or religious organizations.
c. The text of the regulation, now entitled 'Partnerships with Faith-Based and Other Neighborhood Organizations,' is available via the Electronic Code of Federal Regulations (currently accessible at www.e CFR.gov by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR current data.)
17. **Americans with Disabilities Act of 1990 (ADA):** The subgrantee must comply with all requirements of the Americans with Disabilities Act of 1990 (ADA), as applicable.
18. **Compliance with Section 504 of the Rehabilitation Act of 1973 (Handicapped):** All recipients of federal funds must comply with Section 504 of the Rehabilitation Act of 1973 (The Act). Therefore, the federal funds recipient pursuant to the requirements of The Act hereby gives assurance that no otherwise qualified handicapped person shall, solely by reason of handicap, be excluded from the participation in, be denied the benefits of or be subject to discrimination,

including discrimination in employment, in any program or activity that receives or benefits from federal financial assistance. The recipient agrees it will ensure that requirements of The Act shall be included in the agreements with and be binding on all of its subgrantees, contractors, subcontractors, assignees, or successors.

19. **Compliance with Title VI (Limited English Proficiency)** National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI of the Civil Rights Act and the Omnibus Crime Control and Safe Streets Act, subgrantees are required to take reasonable steps to ensure that individuals with LEP have meaningful access to their programs. Meaningful access may entail providing language assistance services, including interpretation and translation services, where necessary. Subrecipients are encouraged to consider the need for language services for individuals with LEP served or encountered both in developing their proposals and budgets and in conducting their programs and activities. Reasonable costs associated with providing meaningful access for individuals with LEP are considered allowable program costs. The U.S. Department of Justice has issued guidance to assist in complying with Title VI requirements. The guidance document can be accessed on the Internet at www.lep.gov.
20. **Utilization of Minority Businesses:** Subgrantees are encouraged to utilize qualified minority firms where cost and performance of major contract work will not conflict with funding or time schedules.
21. **Conflict Of Interest:** Personnel and other officials connected with this grant shall adhere to the requirements given below:
 - a. **Advice:** No official or employee of a state or unit of local government or of nongovernment grantees/subgrantees shall participate personally through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise in any proceeding, application, request for a ruling or other determination, contract, grant, cooperative agreement, claim, controversy, or other particular matter in which these funds are used, where to their knowledge they or their immediate family, partners, organization other than a public agency in which the individual is serving as officer, director, trustee, partner, or employee or any person or organization with whom they are negotiating or has any arrangement concerning prospective employment, has a financial interest.
 - b. **Appearance:** In the use of these grant funds, officials or employees of state or local units of government and nongovernmental grantees/subgrantees shall avoid any action which might result in, or create the appearance of:
 1. Using an official position for private gain;
 2. Giving preferential treatment to any person;
 3. Losing complete independence or impartiality;
 4. Making an official decision outside official channels; or
 5. Affecting adversely the confidence of the public in the integrity of the government or the program.
22. **Active DUNS number, Central Contractor Registration (CCR) registration, and South Carolina State Vendor ID are required for federal reporting purposes and reimbursement:**
 - a. **A DUNS number is required during the application process:** A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point-of-contact information, and registration is required only once. The DUNS number will be used throughout the grant life cycle. Obtain a DUNS number by calling 1-866-705-5711 or by applying online at <https://fedgov.dnb.com/webform>.
 - b. **System for Award Management (formerly Central Contractor Registration (CCR)):** The recipient agrees to comply with applicable requirements regarding registration with the System for Award Management (SAM) (or with a successor government-wide system officially designated by OMB and OJP). SAM is a Federal Government-owned and operated free web site that consolidates the capabilities in CCR/FedReg, ORCA, and EPLS. Future phases of SAM will add the capabilities of other systems used in Federal procurement and awards processes. If you had an active record in CCR, you have an active record in SAM. You do not need to do anything in SAM at this time, unless a change in your business circumstances requires updates to your Entity record(s) in order for you to be paid or to receive an award or you need to renew your Entity(s) prior to its expiration. SAM will send notifications to the registered user via email 60, 30, and 15 days prior to expiration of the Entity. To update or renew your Entity records(s) in SAM you will need to create a SAM User Account and link it to your migrated Entity records. You do not need a user account to search for registered entities in SAM by typing the DUNS number or business name into the search box. <https://www.sam.gov/portal/public/SAM/>. The details of recipient obligations are posted on the US Office of Justice Programs web site at <http://www.ojp.gov/funding/sam.htm>.
 - c. **South Carolina State Vendor Number:** To ensure that your agency is registered with the state, in order to receive reimbursement for grant-eligible expenses, an agency or entity will need to go to the following link and register to obtain a SC State Vendor number. <http://www.mmo.sc.gov/PS/vendor/PS-vendor-registration.phptm>. This information should be sent with the first Request for Reimbursement to the person listed on the cover letter in your award packet.
23. **Federal Funding Accountability and Transparency Act of 2006 (FFATA):** All recipients of awards of \$25,000 or more, consistent with the Federal Funding Accountability and Transparency Act of 2006 (FFATA), will be required to report award information on any awards totaling \$25,000 or more, and, in certain cases, to report information on the names and total compensation of the five most highly compensated executives of the recipients. Further information is available in <https://www.gpo.gov/fdsys/pkg/PLAW-109publ282/pdf/PLAW-109publ282.pdf>
24. **Certifications Regarding Lobbying; Debarment, Suspension And Other Responsibility Matters; And Drug-Free Workplace Requirements:** Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Acceptance of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying," 2 CFR Part 2867, "DOJ Implementation of OMB Guidance on Non-procurement Debarment and Suspension," and 28 CFR Part 83, "Government-wide Debarment and Suspension," and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.
 - a. **Lobbying:** As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:
 - A. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
 - B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;
 - C. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subgrantees shall certify and disclose accordingly.
 - b. **Debarment, Suspension, And Other Responsibility Matters (Direct Recipient)** Pursuant to Executive Order 12549, Debarment and Suspension, implemented at 2 CFR Part 2867, for prospective participants in primary covered transactions, as defined at 2 CFR Section 2867.20(a), and other requirements the applicant certifies that it and its principals:
 - A. Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;
 - B. Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - C. Have not within a two-year period preceding this application been convicted of a felony criminal violation under any Federal law, unless such felony criminal conviction has been disclosed in writing to the Office of Justice Programs (OJP) at Ojpcpliancereporting@usdoj.gov, and, after such disclosure, the applicant has received a specific written determination from OJP that neither suspension nor debarment of the applicant is necessary to protect the interests of the Government in this case.
 - D. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local); and
 - E. Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default.

F. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

c. Federal Taxes

A. If the applicant is a corporation, the applicant certifies that either (1) the corporation has no unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, or (2) the corporation has provided written notice of such an unpaid tax liability (or liabilities) to USDOJ OJP at Ojpcompliance@usdoj.gov, and, after such disclosure, the applicant has received a specific written determination from USDOJ OJP that neither suspension nor debarment of the applicant is necessary to protect the interests of the Government in this case.

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

d. Drug-Free Workplace

A. As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 83, Subpart F, for grantees, as defined at 28 CFR Sections 83.620 and 83.650:

B. The applicant certifies that it will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an on-going drug-free awareness program to inform employees about
 - a. The dangers of drug abuse in the workplace;
 - b. The grantee's policy of maintaining a drug-free workplace;
 - c. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement
4. Notifying the employee in the statement required by B1 that, as a condition of employment under the grant, the employee will
 - a. Abide by the terms of the statement; and
 - b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

C. Notifying the agency, in writing, within 10 calendar days after receiving notice from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, Attn: Control Desk, 810 7th Street, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

D. Taking one of the following actions, within 30 calendar days of receiving notice, with respect to any employee who is so convicted;

E. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

F. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

G. Making a good faith effort to continue to maintain a drug-free workplace through implementation of practices outlined in this section.

e. Restriction on State Lobbying: None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with federal funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

25. **Unallowable Vendors:** Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of USDOJ.

26. **Required Reporting for Misconduct:** The recipient must promptly refer to the USDOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. This condition also applies to any subgrantees. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by

mail:

Office of the Inspector General
U.S. Department of Justice
Investigations Division
950 Pennsylvania Avenue, N.W. Room 4706
Washington, DC 20530

e-mail: oig.hotline@usdoj.gov

hotline: (contact information in English and Spanish): (800) 869-4499

or hotline fax: (202) 616-9881

Additional information is available from the USDOJ OIG website at www.usdoj.gov/oig.

27. **Restrictions and Certifications Regarding Non-Disclosure Agreements and Related Matters:** No subgrantee under this award, or entity that receives a contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information. The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

a. In accepting this award, the subgrantee represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency. If the subgrantee does, or is authorized to, make subawards or contracts under this award it represents that:

1. it has determined that no other entity that the subgrantee's application proposes may or will receive award funds (whether through a

subaward, contract, or subcontract) that either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

2. it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

c. it certifies that, if it learns or is notified that any contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

28. **Bonding:** It is strongly recommended that all officials identified on this grant who have authority to obligate, expend, or approve expenditures be bonded for an amount no less than the total amount of the grant, including match.
29. **Non-Supplanting Agreement:** The subgrantee shall not use grantor funds to supplant state or local funds or other resources that would otherwise have been made available for this program. Further, if a position created by a grant is filled from within, the vacancy created by this action should be filled within 30 days. If the vacancy is not filled within 30 days, the subgrantee should contact the SFA for guidance of how to proceed.
30. **Project Implementation:** The subgrantee agrees to implement this project within 90 days following the grant award effective date or possibly be subject to automatic cancellation of the grant. Evidence of project implementation must be detailed in the first progress report.
31. **Written Approval of Changes:** Any changes to this subgrant that are mutually agreed upon by the applicant and the SFA must be approved in writing by the SFA prior to implementation or obligation and shall be incorporated in written amendments to this grant. This procedure for changes to the approved subgrant is not limited to budgetary changes, but also includes changes of substance in project activities and changes in the project director or key professional personnel identified in the approved application. Any change to an application is considered a revision and must be accomplished on the grants management system.
32. **Budget Revision Requirements:** Changes to an application before or after award is considered a revision, and is required under Written Approval of Changes with some very specific exceptions. The major budget categories are: Personnel, Contractual Services, Travel, Equipment, and Other. A budget revision will not be required if:
- The expended amount in a major budget category does not exceed the amount budgeted for that major budget category by 10%;
 - The quantity of Personnel or Equipment does not increase;
 - The item to be purchased is already included in the grant budget.

Final grant revisions are requested to be submitted by the 60th day before the close of the project year listed on the grant award documents. Revisions submitted after this date must have thorough justification as to why the revision is needed for the success of the project and why the revision was not accomplished earlier. Revisions must be completed online through the grants management system. Every change made to the original application or subsequent revisions is considered a revision and will require you to create and justify that revision.

33. **Contract Approval Requirements:** The subgrantee must receive approval of all contract agreements for services and products from the SFA prior to execution. The standard Accounting-Grants contract must be used and no changes can be made to the actual contract form. A copy of the contract is located on the SFA website <http://www.scdps.gov/ohsjp/oag.asp>. The contract will require review and approval by appropriate staff. Every contract will identify by name all researchers, agents, or vendors providing the service or product stipulated. If written approval of the contract is given, an executed copy of the contract must be submitted to the SFA prior to payment or within 30 days of signature, whichever comes first.
34. **Individual Consultants:** Billing for consultants who are individuals must include at a minimum: a description of services; dates of services; number of hours services are performed; rate charged for services; and the total cost of services performed. Individual consultant costs must be within the prevailing rates as required by the federal oversight agency. The current federally-approved rate must not exceed \$650.00 per day or \$81.25 per hour.
35. **Dual Employment Compensation:** Dual employment compensation must be approved by the SFA prior to contracting with consultants. An appropriate dual employment compensation form must be completed and submitted to the SFA.
36. **Sole Source Procurement:** Use of sole source procurement is strongly discouraged. Sole source purchases will be awarded only under exceptional circumstances and must follow precisely the procedure set forth in the South Carolina Consolidated Procurement Code. All sole source purchases will require the explicit prior written approval of the SFA.
37. **Bidding Requirements:** The subgrantee must comply with proper competitive bidding procedures as required by 2 CFR 200. On any items, including those bid in the aggregate whose total cost requires a bid, bids must be submitted to the SFA for review and approval prior to acceptance of any quote/bid. Provide a copy of all bids submitted, the bid selected, and the criteria used for selection. If other than the low bid was selected, provide justification. This includes state agencies. Note that approved, budgeted items purchased through State Purchasing (General Services) under a state contract also must be submitted to the SFA for prior approval. Include the state contract number and the contract ending date on the quote when it is submitted for approval and then the invoice when it is submitted with the Request for Payment.
- Small Purchases (\$0-\$10,000):** Small purchases not exceeding ten thousand dollars may be accomplished without securing competitive quotations if the prices are considered reasonable. The purchases must be distributed equitably among qualified suppliers. When practical, a quotation must be solicited from other than the previous supplier before placing a repeat order. Subgrantee grant budget items equal to or less than \$10,000 will be evaluated by the Office of Highway Safety and Justice Programs Accounting Grants staff at the time of grant budget approval or revision, and only fair and reasonable costs will be approved for inclusion in the subgrantee grant budget.
 - Small Purchases (\$10,001-\$25,000):** Written request for written quotes from a minimum of three qualified sources of supply may be made and, unless adequate public notice is provided in the South Carolina Business Opportunities, documentation of at least three bona fide, responsive, and responsible quotes must be attached to the purchase requisition for a small purchase over ten thousand dollars but not in excess of twenty-five thousand dollars, or for a small purchase of commercially available off-the-shelf products not in excess of one hundred thousand dollars, or for a small purchase of construction not in excess of one hundred thousand dollars. The award must be made to the lowest responsive and responsible sources. The request for quotes must include a purchase description. Requests must be distributed equitably among qualified suppliers unless advertised as provided above.
 - Advertised Small Purchases (\$25,001-\$100,000):** Written solicitation of written quotes, bids, or proposals may be made for a small purchase, other than a small purchase of construction, not in excess of one hundred thousand dollars. The procurement must be advertised at least once in the South Carolina Business Opportunities publication. A copy of the written solicitation and written quotes must be attached to the purchase requisition. The award must be made to the lowest responsive and responsible source or, when a request for proposal process is used, the highest ranking offeror. On any items, including those bids in the aggregate, whose total cost is \$25,000 or more, bids must be submitted to the Office of Highway Safety and Justice Programs for review and approval prior to acceptance of any bid.

Provide the following information:

1. A copy of all bids submitted.
2. The bids selected.
3. The criteria used for selection.
4. If other than low bid selected, provide justification.

Advertised Small Purchase: \$25,000 - \$100,000

Must be advertised in SCBO for at least 7 days, unless a shorter timeframe is required and approved.

38. **Electronic Systems and Computers:** The subgrantee understands and agrees that - (a) No award funds may be used to maintain or establish a computer network

unless such network blocks the viewing, downloading, and exchanging of pornography, and (b) Nothing in subsection (a) limits the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

39. **Furniture Purchase Requirements (For State Agencies Only):** The SFA requires that furniture funded by the grant (both grantor and match) be purchased through the South Carolina Department of Corrections, Prison Industries (PI) Program. The subgrantee may purchase grant-funded furniture through another vendor only if, (a) PI is unable to guarantee delivery within eight (8) weeks of the placement of the order, or (b) the subgrantee receives a bid for furniture of equal or higher specifications for less than the PI cost. If (a) or (b) is utilized, the Project Director or Authorized Official must certify this process. The certification must accompany the Request for Payment for the applicable items. The subgrantee may contact a customer services representative at PI at 1-800-922-8121.
40. **Personnel:** All individuals hired for grant-funded positions and those individuals hired to replace employees moved to grant-funded positions must be identified in writing. This and any changes to grant-funded personnel must be submitted within 30 days from the date of hire, or the date the change occurs. All Requests for Payment (RFP) must include timesheets for grant-funded personnel. Payment will not be processed without submission of timesheets. Agency timesheets may be used, or a timesheet can be provided by the SFA upon request. The timesheets must include the time period requested for reimbursement. Personnel partially-funded must keep daily time and activity sheets. These time sheets must show the amount of time spent on each activity. These records must be available for review when a monitoring visit is made by the SFA staff.
41. **Travel Costs:** Personnel and Travel costs must be consistent with the agency's policies and procedures and must be applied uniformly to all activities and personnel of the agency, regardless of the source funding. If travel costs are included in the grant application, a copy of the agency's policies and procedures manual, or the agency Board's signed minutes must be submitted with the application, specifically outlining mileage and per diem rates of reimbursement. However, reimbursable amounts for mileage and per diem must not exceed the amount approved by state guidelines, regardless of the agency's policy. Lodging costs must not exceed the federal rate established by the General Services Administration (GSA). These rates vary by location and season and are updated annually at www.gsa.gov. Attendees will only be reimbursed up to the maximum allowable rate of the GSA, excluding taxes and surcharges.
42. **Training Approval:** All training that grant-funded personnel wish to attend that will be paid for with grant funds, including registration, lodging, meals, or mileage, must receive prior written approval by submitting the training approval form with an attached copy of the agenda to the SFA.
43. **Eligibility for Employment in the United States:** Subgrantees must agree to complete and keep on file, as appropriate, the Immigration and Naturalization Service Employment Eligibility Form (I-9). This form is to be used to verify that persons employed by the subgrantee, are eligible to work in the United States.
44. **Rental Cost:** The SFA will only pay the grant portion of rental costs. Grant participation in mortgage payments is unallowable. Prior to final approval of rental costs, a copy of the lease agreement must be provided to the SFA as well as the total square footage included in the rental agreement and the amount of square footage requested to be funded under this grant. The subgrantee must request approval, in writing, when the total rental space requirement, including space for files, conference, mail, supply, reproduction and storage rooms, is in excess of 150 square feet per employee. Space required for intermittent and/or part-time employees may be included in the space requirement; and/or the rental charge may not exceed \$16 per square foot per month. The subgrantee must certify in writing that the requested rental charge is consistent with the prevailing rates in the local area and shall maintain documentation in its files to support such a determination.
45. **Obligation of Grant Funds:** Grant funds may not, without advance written approval by the SFA, be obligated prior to the effective date of award or approved revision. No obligations are allowed after the end of the grant period, and the final request for payment must be submitted no later than 45 calendar days after the end of the grant period.
46. **Utilization and Payment of Grant Funds:** Funds awarded are to be expended only for purposes and activities covered by the subgrantee's approved project plan and budget or subsequent approved revisions. Items must be specifically and individually mentioned in the subgrantee's approved grant budget in order to be eligible for reimbursement. Payments will be adjusted to correct previous overpayments and disallowances or under payments resulting from audit. Claims for reimbursement must be submitted no more frequently than once per month and no less frequently than once per quarter. Grants failing to meet this requirement, without prior written approval, are subject to cancellation. Claims for reimbursement must be fully documented and substantiated as detailed in the Request for Payment Instructions.
47. **Recording and Documentation of Receipts and Expenditures:** Subgrantee's accounting procedures must provide for accurate and timely recording of receipt of funds by source, of expenditures made from such funds, and of unexpended balances. These records must contain information pertaining to grant awards, obligations, unobligated balances, assets, liabilities, expenditures, and program income. Controls must be established which are adequate to ensure that expenditures charged to the subgrant activities are for allowable purposes. Additionally, effective control and accountability must be maintained for all grant cash, real and personal property, and other assets. Accounting records must be supported by such source documentation as cancelled checks, paid bills, payrolls, time and attendance records, contract documents, grant award documents, etc. The accounting system must ensure that agency funds are not co-mingled with other funds from other federal agencies. Each award must be accounted for separately. Subgrantees are prohibited from co-mingling funds on either a program-by-program basis or a project-by-project basis. Funds specifically budgeted and/or received for one grant may not be used to support another.
48. **Financial Responsibility:** The financial responsibility of subgrantees must be such that the subgrantee can properly discharge the public trust which accompanies the authority to expend public funds. At a minimum, adequate accounting systems should meet the following criteria:
 - a. Accounting records should provide information needed to adequately identify the receipt of funds under each grant awarded and the expenditure of funds for each grant.
 - b. Entries in accounting records should refer to subsidiary records and/or documentation which support the entry and which can be readily located.
 - c. The accounting system should provide accurate and current financial reporting information.
 - d. The accounting system should be integrated with an adequate system of internal controls to safeguard the funds and assets covered, check the accuracy and reliability of accounting data, promote operational efficiency and encourage adherence to prescribed management policies.
49. **Reports:** The subgrantee shall submit, at such times and in such form as may be prescribed, such reports as the SFA may reasonably require, including quarterly financial reports, progress reports, final financial reports, and evaluation reports.
50. **Program Income:** All program income generated by this grant during the project must be reported to the SFA quarterly (on the quarterly fiscal report) and must be put back into the project or be used to reduce the grantor participation in the program. The use or planned use of all program income must have prior written approval from the SFA.
51. **Cash Depositories:** Subgrantees are required to deposit grant funds in a federally insured banking institution, and the balance exceeding insurance coverage must be collaterally secured.
52. **Retention of Records:** Records for non-expendable property purchased totally or partially with grantor funds must be retained for three years after its final disposition. All other pertinent grant records including financial records, supporting documents, and statistical records shall be retained for a minimum of three years after the final expenditure report. However, if any litigation, claim, or audit is started before the expiration of the three-year period, then records must be retained for three years after the litigation, claim, or audit is resolved.
53. **Property Control:** Effective control and accountability must be maintained for all personal property. Subgrantees must adequately safeguard all such property and must assure that it is used solely for authorized purposes. Subgrantees should exercise caution in the use, maintenance, protection, and preservation of such property.
 - a. Title: Subject to the obligations and conditions set forth in 2 CFR 200.313, and 2 CFR 439 title to non-expendable property acquired in whole or in part with grant funds shall be vested in the subgrantee. Non-expendable property is defined as any item having a useful life of more than one year and an acquisition cost of \$1,000 or more per unit.
 - b. Property Control Record Form: At the time the final request for payment is submitted, the subgrantee must file with the SFA a copy of the Property Control Record Form (provided by the SFA) listing all such property acquired with grant funds. The subgrantee agrees to be subject to a biennial audit by the SFA and/or its duly authorized representatives for verification of the information contained in the Property Control Record Form.
 - c. Use and Disposition: Equipment shall be used by the subgrantee in the program or project for which it was acquired as long as needed, whether or not the program or project continues to be supported by federal funds. When use of the property for project activities is discontinued, the subgrantee shall request, in writing, disposition instructions from the SFA prior to actual disposition of the property. Theft, destruction, or loss of property shall be reported to the SFA immediately.
54. **Performance:** This grant may be terminated or fund payments discontinued by the SFA where it finds a substantial failure to comply with the provisions of the Act governing these funds or regulations promulgated, including those grant conditions or other obligations established by the SFA. In the event the subgrantee fails to perform the services described herein and has previously received financial assistance from the SFA, the subgrantee shall reimburse the SFA the full amount of the payments made. However, if the services described herein are partially performed, and the subgrantee has previously received financial assistance, the subgrantee shall proportionally reimburse the SFA for payments made.

55. **Deobligation of Grant Funds:** All grants must be deobligated within forty-five (45) calendar days of the end of the grant period. Failure to deobligate the grant in a timely manner will result in an automatic deobligation of the grant by the SFA.
56. **Project Evaluation Report:** Any formal evaluation report must be received by the SFA not later than 45 days after the end of the reporting period.
57. **Copyright:** Except as otherwise provided in the terms and conditions of this grant, the subgrantee or a contractor paid through this grant is free to copyright any books, publications or other copyrightable materials developed in the course of or under this grant. However, the federal awarding agency and/or SFA reserve a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and to authorize others to use, for federal government and/or SFA purposes:
- a. the copyright in any work developed under this grant or through a contract under this grant; and,
 - b. any rights of copyright to which a subgrantee or subcontractor purchases ownership with grant support. The federal government's rights and/or the SFA's rights identified above must be conveyed to the publisher and the language of the publisher's release form must ensure the preservation of these rights.
58. **Publications:** The subgrantee agrees that any publication (written, visual, or sound) issued by the subgrantee describing programs or projects funded in whole or in part with federal funds, shall contain the following disclaimer statement:
- "This project was supported by Federal Formula Grant # _____, (refer to the Grant Award for the Federal Formula Grant Number which can be found immediately after the CFDA No.) awarded by the Bureau of Justice Assistance, U.S. Department of Justice through the SFA. The Assistant Attorney General, Office of Justice Programs, coordinates the activities of the following program offices and bureaus: Bureau of Justice Assistance, Bureau of Justice Statistics, National Institute of Justice, Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime. Points of view or opinions contained within this document are those of the author and do not necessarily represent the official position or policies of the U. S. Department of Justice."
- The subgrantee should contact the Program Coordinator listed as responsible for the award funds to ensure the information in the disclaimer is correct. The subgrantee also agrees that one copy of any such publications will be submitted to the SFA to be placed on file and distributed as appropriate to other potential subgrantees or interested parties.
59. **Closed-Captioning of Public Service Announcements:** Any television public service announcement that is produced or funded in whole or in part by any agency or instrumentality of the Federal Government shall include closed captioning of the verbal content of such announcement.
60. **Public Awareness:** All public awareness/education materials developed as a part of this grant program are to be submitted in draft to the SFA for written approval prior to final production and/or distribution. Equipment, supplies, and other grant-funded materials shall not display the names of elected, appointed, or other public officials.
61. **Political Activity:** None of the funds, materials, property or services provided directly or indirectly under this contract shall be used for any partisan political activity, or to further the election or defeat of any candidate for public office, or otherwise in violation of the provisions of the "Hatch Act."
62. **Confidential Information:** Any reports, information, data, etc., given to, or prepared, or assembled by the subgrantee under this grant which the SFA requests to be kept confidential shall not be made available to any individual or organization by the subgrantee without prior written approval of the SFA.
63. **Disclosure of Federal Participation:** In compliance with Section 623 of Public Law 102-141, the subgrantee agrees that no amount of this award shall be used to finance the acquisition of goods and services for the Project to apply to a procurement for goods or services that has an aggregate value of \$500,000 or more unless the subgrantee:
- a. specifies in any announcement of the awarding of the contract for the procurement of the goods and services involved, the amount of Federal funds that will be used to finance the acquisition; and,
 - b. expresses the amount announced pursuant to paragraph (a) as a percentage of the total cost of the planned acquisition.
64. **Official Authorized to Sign:** In the case of a city/county/state entity, the person designated as the Official Authorized to Sign must be a designated official or head for the entity applying for the funds. For further clarification, contact the person listed on the cover letter of the original grant award packet.
65. **Grants Financial Guide:** The subgrantee agrees to comply with the USDOJ Grants Financial Guide as posted on the USDOJ, Office of Justice Programs website.
66. **Fiscal Regulations:** The fiscal administration of grants shall be subject to such further rules, regulations and policies concerning accounting and records, payment of funds, cost allowability, submission of financial reports, etc., as may be prescribed by the SFA Guidelines or "Special Conditions" placed on the grant award.
67. **Compliance Agreement:** The subgrantee agrees to abide by all Terms and Conditions including "Special Conditions" placed upon the grant award by the SFA. Failure to comply could result in a "Stop Payment" being placed on the grant.
68. **Suspension or Termination of Funding:** The SFA may suspend, in whole or in part, and/or terminate funding for or impose another sanction on a subgrantee for any of the following reasons:
- a. Failure to comply substantially with the requirements or statutory objectives of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; Block Grants Program Guidelines issued thereunder or other provisions of Federal Law as they pertain to the specific funding used for the project.
 - b. Failure to adhere to the requirements, standard conditions, or special conditions. Proposing or implementing substantial program changes to the extent that, if originally submitted, the application would not have been approved for funding.
 - c. Failure to submit reports.
 - d. Filing a false certification in this application or other reports or documents.
 - e. Other good cause shown.

Certification by Project Director

CERTIFICATION BY PROJECT DIRECTOR *

I certify that I understand and agree to comply with the general and fiscal terms and conditions of this application including special conditions; to comply with provisions of the Act governing these funds and all other federal laws; that all information presented is correct; that there has been appropriate coordination with affected agencies; that I am duly authorized by the Applicant to perform the tasks of Project Director as they relate to the fiscal terms and conditions of this grant application; that costs incurred prior to grant approval may result in expenses being absorbed by the subgrantee; and, that the receipt of grantor funds through the State Funding Agency will not supplant state or local funds.

Prefix: Mrs.

Name: Cathy E. Floyd

Suffix:

Title: Office Manager

Agency: Fifteenth Circuit Solicitor's Office

Mailing Address: P. O. Box 1276

City: Conway

State: SC

9 Digit Zip: 29528

(Area) Phone Number: (843) 915-8609

(Area) Fax Number: (843) 915-6085

E-Mail Address: cfloyd@horrycounty.org

Signature:

Bonded: yes ☒ no ☒

Certification by Financial Officer

CERTIFICATION BY FINANCIAL OFFICER *

I certify that I understand and agree to comply with the general and fiscal terms and conditions of this application including special conditions; to comply with provisions of the Act governing these funds and all other federal laws; that all information presented is correct; that there has been appropriate coordination with affected agencies; that I am duly authorized by the Applicant to perform the tasks of Financial Officer as they relate to the fiscal terms and conditions of this grant application; that costs incurred prior to grant approval may result in expenses being absorbed by the subgrantee; and, that the receipt of grantor funds through the State Funding Agency will not supplant state or local funds.

Prefix: Mr.

Name: Robert Jordan

Suffix:

Title: Chief Financial Officer

Agency: Horry County

Mailing Address: P. O. Box 1236

City: Conway

State: SC

9 Digit Zip: 29526

(Area) Phone Number: (843) 915-7018

(Area) Fax Number: (843) 915-6181

E-Mail Address: jordanr@horrycounty.org

Signature:

Bonded: yes ☒ no ☐

Certification by Official Authorized to Sign

CERTIFICATION BY OFFICIAL AUTHORIZED TO SIGN *

I certify that I understand and agree to comply with the general and fiscal terms and conditions of this application including special conditions; to comply with provisions of the Act governing these funds and all other federal laws; that all information presented is correct; that there has been appropriate coordination with affected agencies; that I am duly authorized to commit the applicant to these requirements; that costs incurred prior to grant approval may result in expenses being absorbed by the subgrantee; and, that the receipt of grantor funds through the State Funding Agency will not supplant state or local funds.

The Omnibus Appropriations Act of 1996 requires that subgrantees provide assurance that subgrant funds will not be used to supplant or replace local or state funds or other resources that would have otherwise been available for grant-funded activities. In compliance with that mandate, I certify that the receipt of federal funds through the State Funding Agency shall in no way supplant or replace state or local funds or other resources that would have been made available for grant-funded activities.

Prefix: Mr.

Name: Steven S. Gosnell, P.E.

Suffix:

Title: County Administrator

Agency: Horry County

Mailing Address: P. O. Box 1236

City: Conway

State: SC

9 Digit Zip: 29528

(Area) Phone Number: (843) 915-5020

(Area) Fax Number: (843) 915-6020

E-Mail Address: sgosnell@horrycounty.org

Signature:

Bonded: yes ☒ no ☒

***NOTE:** THE PROJECT DIRECTOR, FINANCIAL OFFICER AND OFFICIAL AUTHORIZED TO SIGN CANNOT NOT BE THE SAME PERSON. STAFF BEING FUNDED UNDER THIS GRANT MAY NOT BE ANY OF THE ABOVE OFFICIALS WITHOUT SFA APPROVAL.

Revisions

Revision History

Revise

Start a new revision

Version 2

[View Errata \(1 to 2\)](#)

Agency Notes:

Lines items had "moved and edited" removed. \$3.00 added to correct revision

Approvals: Michael Tucker 10/28/20  Aloysius Anderson 10/28/20  Emeika Cannon 10/28/20 

Version 1.2

[View Errata \(1 to 1.2\)](#) [View Application](#)

Agency Notes:

#1. Moved 16GB laptop per Nicole's request #2. Moved 70" TV to Other as per Nicole's request #3.

Moving extra monies not spent that were awarded into a request for 15 more 32 gb laptops. Masks are also no longer needed to be purchased by our department as the county was given masks by the state and are supplying us with the masks supplies that were originally requested. We are asking to move those monies that were awarded and the overages that are now edited, into the additional laptops that are a huge needed for remote operations and efficient operations.

State Notes:

Please adjust Total Project Cost to match original amount of \$60,675 and remove "edit" or "moved" comments from budget lines. Thank you.

Version 1

[View Errata \(0 to 1\)](#) [View Application](#)

**State of South Carolina
Office of the Solicitor
Fifteenth Judicial Circuit**

JIMMY A. RICHARDSON, II

Solicitor

LEVEL ONE	Function is operating as normal.
LEVEL TWO	Displacement of our local office staff - office repairs or situation causing a temporary move of staff, temporary work from home situation for an individual employee, or specific department.
LEVEL THREE	Local County wide disruption causing a move or temporary shutdown of offices, essential employee only workforce in office or other local disruption.
LEVEL FOUR	A shutdown or mandated remote operations Order issued by the SC Supreme Court impacting how our trial court operations are to operate. A national or international disaster that would mandate a remote operations plant to be put in place.

Level One Activity – Office operations will follow our normal schedule. County policies will be observed for all leave time.

Level Two Activity – Court issues are not impacted. Staff will transition to remote work force where needed but all county policies will be observed for leave time.

Level Three Activity – Rotating schedules could be observed in this stage or remote operations may be required due to local circumstance. See below for the Office policy on remote operations or rotating scheduling. County policies will also be followed for leave time.

Level Four Activity – All staff are impacted at this stage. Rotating schedules may be in effect or a remote operations order may be issued. See below for the Office policy on remote operations or rotating scheduling. County policies will also be followed for leave time.

OFFICE POLICY ON ROTATING SCHEDULE OR REMOTE OPERATIONS

ROTATING SCHEDULE:

While on a rotating schedule, employees are expected to plan **ALL** personal appointments and other leave around the dates they are working from home. Therefore, they are expected to be present in the office when they are scheduled to be in the office. Taking leave on dates when one is to be in the office will result in leave without pay. If out on sick leave, one needs to present a medical excuse for that time off. If this policy cannot be followed, you will be denied the privilege of a rotating schedule and will have to return to the office Monday through Friday.

Alternative schedules have to first be approved by Solicitor Jimmy Richardson or Chief Deputy Solicitor Scott Hixson and Deputy Solicitor Alicia Richardson. All Administrative and Support positions requesting alternative schedules, must be approved by Cathy Floyd, Office Manager.

Staff who are non-exempt or exempt will be required to follow the county policy on clocking in and out during the work day.

PARTIALS:

If you find that you have to leave during any time that you are scheduled to physically be in the office, that does not automatically revert to working as VPN (working at home). Please submit a leave slip for any time that you have to take off when you are scheduled to physically be in office. Notify your supervisor and discuss any obstacles you may be facing.

EQUIPMENT:

The Solicitor's Office will provide the necessary equipment that is essential for legal staff to complete their job duties i.e. laptops and cables. The Solicitor's Office will install virtual private network (VPN) and the required software when employees receive their equipment.

Remember that this equipment is the Horry County Solicitor's Office property. It is your responsibility to keep it safe and clear of misuse. The equipment supplied is to be used for business purposes only. Each legal assistant and Attorney will sign-off on an inventory sheet upon receiving such equipment, signaling your agreement to take the necessary actions to protect the equipment from damage or theft. Check with Victoria Brown if you have questions or problems with your devices.

Upon termination of employment or the elimination of remote working, all equipment will be returned to the Solicitor's Office.

ATTORNEYS / ADMINISTRATIVE ASSISTANT- GETTING STARTED AND OTHER TIPS:

1. All staff who are exempt or non-exempt will be required to clock in and out while in a remote office environment. Per our County IT, you will have the ability to do so while connected to the network through VPN.
2. All staff who are required or request to work in a remote location are responsible for ensuring their personal location has an adequate internet connection. If this is not possible in the remote office area, the employee will need to work in the office space unless it is shut down or closed. If employee states that their personal internet connection does not allow them to work remotely, the employee will need to use their personal time to cover the time they will not be working.
3. Set up a comfortable office space in your home that allows the least amount of distractions.
4. Set up a folder for each of your attorneys/admins in Outlook. If you receive an email from them regarding a task to complete, drag that email to the appropriate folder.
5. Enter what you are working on in the **note** section of the PCMS case file. This works even if you are working by VPN.
6. Work from the True-Billed Indictment List or Initial Discovery List if you do not have pending files (files from your desk or emails from your attorneys).
7. **SHOW YOUR WORK!** As mentioned before, even on VPN you can enter in the note section the file or task on which you are working.
8. Be good stewards of your time entries; remember to enter lunch, leave, and Future Status
9. Submit any leave requests as you normally do when in the office.
10. Check your (office) desk phones for messages. You can do this from home.
11. Delete as many voice mails as you can.
12. Delete as many emails as you can.
13. **Read your emails from office staff, IT or Victoria Brown ---immediately!**
14. Before sending discovery, make sure there is a DEFENSE ATTORNEY ASSIGNED TO THE CASE! If it is a public defender, add their paralegal. Do this in PCMS and in E.com
15. Proofread your cover sheets before they go out.
16. When or if you run out of work, help someone else. It will make you feel good and keep your remote position secure. ☺
17. Address the emails received from your attorneys/admins/supervisors FIRST. If or when you run out of tasks, check the discovery list for new discovery requests and coordinate with your attorney/admin/supervisor.
18. Take a break from your devices, social media, and the news in general.
19. Stay safe and healthy. Take care physically *and mentally*. Email or call me if you have questions or concerns , cfloyd@horrycounty.org.

ATTENDANCE AND ACCOUNTABILITY:

Attendance and production will be monitored two ways. All staff, exempt and non-exempt, will be required to clock in and out throughout the day, just as they would in the actual office. Your activity in your files will be monitored by our entries of this activity in the note sections in PCMS.

Please schedule leave and appointments on the days you are working from home. Planned leave will be submitted as normally done when working in the office and will need to be approved by the supervisor or Department Head.

You are expected to be in the office on the days you are scheduled to physically be in the office.

Per Solicitor Richardson, on any day designated as a work-from-anywhere day, each employee must satisfy all of the following conditions.

- You will be “on call,” meaning you must be available by phone to complete a task or request at any time during the workday, or come to the office within 90 minutes, if so ordered.
- You must have demonstrable responsibilities when working remotely.
- By the close of your work day, you must complete the required log of your work completed in the note sections of PCMS and have correctly logged in and out of the time clock system.

VIRTUAL MEETINGS:

Prepare your electronic device (computer, laptop) with all the necessary equipment that will allow you to participate in virtual meetings. Appropriate attire is required such as business casual. For us to know that you are present, please turn on your video feature. During group meetings, mute your device when the host or others are speaking.

COMMUNICATION:

Each department has in place a means of communicating, whether by weekly newsletter, daily email, or a monthly Zoom meeting. These are important factors when everyone is physically detached from the office and each other. Read the weekly newsletters and save them for future reference. Any information regarding new hires, retirements, new procedures, etc. will be announced in the newsletter.

POLICY OVERVIEW:

This policy outlines guidelines for employees who work from a location other than the physical offices of the Fifteenth Judicial Circuit Solicitor’s Office. This policy helps to ensure that both employees and the Solicitor’s Office benefits from these arrangements. All remote work must receive prior approval from the individual’s immediate supervisor, as not all positions are appropriate or feasible for remote work.

REMOTE WORK AGREEMENT

I have read and understand the attached Employee Remote Work Policy, and agree to the duties, obligations, responsibilities and conditions for remote workers described in the policy. I understand that I remain subject to all of the Fifteenth Judicial Circuit Solicitor's Office (Solicitor's Office) county and internal policies, including, but not limited to policies relating to technology, attendance, confidentiality, harassment, discrimination prevention, and safety policies.

I agree that, among other things, I am responsible for following my remote work schedule, maintain a work log, taking proper measures to secure Solicitor's Office information, assets and systems; and maintain my work space in a safe manner.

I understand that any equipment provided to me may be monitored by the Solicitor's Office.

I understand that the Solicitor's Office may at any time change any or all of the conditions under which I am permitted to work remotely, or withdraw permission to work remotely.

At the end of my employment or at the end of the remote working period, I agree to immediately return all equipment or reimburse the Solicitor's Office for the value of the equipment.

I have read and understand the Remote Work Policy for all Solicitor Office Staff and the Remote Work Agreement for all Solicitor Office Staff and understand the contents. I understand that the Policy may be altered or terminated at any time.

Employee's Signature

Date

EMPLOYEE'S ADDRESS (*where remote work will be performed*)

Address

Address

City/State/Zip

Telephone Number for this Address or Cell